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ABSTRACT

This hearing focused on youth violence and the importance of developing local and state solutions. Senator Fred Thompson made an introductory statement. This was followed by four panels on each of 2 days of testimony. Day one's first panel included involved students and business people from Memphis, TN. The second panel included two Tennessee mayors, the president of the Memphis Board of Education, and the Honorable Kenneth Turner, Juvenile Court Judge, Memphis, TN. The third panel included James Ball, Facility Administrator, Shelby County Training Center, Memphis, TN; Veronica Coleman, U.S. Attorney, Memphis, TN; John W. Pierotti, District Attorney General, Memphis, TN; and Robert Wood, Consultant, Agency for Youth and Family Development, Memphis, TN. The fourth panel included community health workers, advocates, religious representatives from Memphis, TN. Day two's first panel included the Honorable Don Sunquist, Governor, State of Tennessee; George Hattaway, Commissioner of Youth Development, Nashville, TN; and Rita Wadley, Commissioner of Public Health, Nashville, TN. The second panel included the Honorable Beth Halteman Harwell, State Representative, State and Local Government Committee; the Honorable Douglas Henry, State Senator, Special Select Committee on Children and Youth, and Chairman, Finance Ways and Means Committee; and the Honorable Page Walley, State Representative, Special Select Committee on Children and Youth. The third panel included administrators from various community organizations that focused on adolescent needs. The fourth panel included the Honorable Paul R. Wohlford, Judge, Juvenile Court, Bristol, TN; the Honorable Randy Camp, Judge, Crockett County, TN; the Honorable Dan Speer, Mayor, Pulaski, TN; the Honorable Bernie Swiney, Mayor, London, TN; and the Honorable C. Van Deacon, Judge, Juvenile Court, Cleveland, TN. An appendix presents additional submissions for the record. (SM)

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S. HRG. 104–792

YOUTH VIOLENCE: DEVELOPING LOCAL AND STATE SOLUTIONS

ED 435 784

HEARINGS

BEFORE THE

SUBCOMMITTEE ON YOUTH VIOLENCE

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

ONE HUNDRED FOURTH CONGRESS

SECOND SESSION

ON

FOCUSING ON YOUTH VIOLENCE AND DEVELOPING LOCAL AND STATE SOLUTIONS

MEMPHIS AND NASHVILLE, TN

FEBRUARY 15 AND 16, 1996

Serial No. J–104–70

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YOUTH VIOLENCE: DEVELOPING LOCAL SOLUTIONS

THURSDAY, FEBRUARY 15, 1996

U.S. SENATE,
SUBCOMMITTEE ON YOUTH VIOLENCE,
COMMITTEE ON THE JUDICIARY,
Memphis, TN.

The subcommittee met, pursuant to notice, at 9:30 a.m., in the Clifford E. Davis Federal Building, courtroom No. 2, 11th floor, Memphis, TN, Hon. Fred Thompson (chairman of the subcommittee), presiding.

STATEMENT OF HON. FRED THOMPSON, U.S. SENATOR FROM THE STATE OF TENNESSEE

Senator THOMPSON. It feels pretty important sitting up here, but I want to thank all of you for attending these hearings today, and all of our witnesses. What we're about to do is very important.

Congress is in recess and this gives us an opportunity to have some field hearings around the State. Tomorrow we will be having a hearing in Nashville, TN, on a subject that is extremely important to all of us. And Shelby County, I think, and Memphis is also a good place to have a hearing. Along with the problems that we all have across this country, I want to share some of the good things that are going on also with the State and the rest of the country. I think that there is definitely reason for some optimism in the middle of the big, gloomy picture.

As we all know, all across the country, people are extremely concerned about crime. It's become not only more prevalent, but it's become more violent. Since the 1960's, the crime rate in this country has soared. Recently, the crime rate for adult offenders has stabilized at high rates. Unfortunately, youth violence grows unabated. As serious as is the current toll of youth violence in blood and treasure, the future appears even worse. The present population of youths of crime-committing age is at a low point. This is both in this particular area and nationwide. In 5 to 10 years, the pool of youths will be larger. If only the same percentages become juvenile delinquents as today, there will be enormous increases in youth violence. And there is reason to believe that if we do nothing, even greater percentages of young people will turn to a life of crime.

Today, the Subcommittee on Youth Violence of the Senate Judiciary Committee holds a field hearing on Youth Violence: Local Solutions. My subcommittee this year will reauthorize the Federal Juvenile Justice and Delinquency Prevention Act. That Federal statute, which has existed since 1974, has not stopped youth violence from rising in incidence and severity. The subcommittee is interested in learning what local solutions have been developed to address the problem of youth violence. Hopefully, we can highlight what works so that we can avoid a nightmare when the population of young people increases in the next decade.

Memphis is a particularly appropriate place to hold a hearing on community responses to youth violence. The residents of Memphis and Shelby County and their local governments have taken steps to stem the tide of youth violence. The juvenile court here should be commended for its nationally recognized innovative approaches to dealing with youth offenders. We need to learn what can be done to stop young people who commit crimes. We also need to learn how we can prevent their young siblings from embarking on a criminal path.

We will hear today from an excellent set of witnesses. Two youth offenders will discuss their records and the efforts they are undergoing to turning their lives around. A high school student who has formed an organization to attack youth violence will assess young people's grassroots involvement. Local officials will testify about local government's efforts to solve the problem. We will learn what correctional and prosecutorial approaches have been undertaken. Finally, intervention and prevention programs will be highlighted. The subcommittee wishes that time could have permitted representatives of additional prevention organizations to testify as well, because other fine organizations are also doing important work in Memphis in helping young people.

I welcome all of the witnesses. I appreciate your presence here today, which I know will be useful to the subcommittee as we consider Federal legislation to address this exceptionally important problem.

What we essentially are here doing today, in addition to highlighting the problem that we are all too familiar with, is trying to determine what works in solving the problem. Obviously, with the demographics being what they are, if we don't get ahead of the curve, if we can call it that at this stage, we're going to be in big trouble in a few years. So the question is, What is working? What's working on the local level? What's working on the State level? What's not working on the local and State level? What Federal programs are beneficial?

Oftentimes in this country, we get used to thinking in terms of if there is a problem, then there must be a Federal solution and that only involves coming up with a certain amount of money. Send the money to Washington and Washington takes its carrying charges out and sends a certain amount of money back with strings attached telling us what to do with it. Well, that may work in some cases for some programs. It may not in some cases and some programs. But we can no longer get by with the idea that we have had in this country for a long time that if we have a Federal law and we fund that with several million dollars, that we are doing some good. Because it has not worked out that way. The country has really gone through about three basic phases as far as our approach to this problem is concerned.

Back many years ago, the turn of the century or shortly thereafter, we attacked the problem basically as a problem of juvenile delinquency, which it was at that particular time. Courts viewed a juvenile offender not as a criminal but as an errant youth and sought to rehabilitate rather than to punish.

We went into a second phase in the sixties and seventies when we came up with some innovative approaches, decriminalizations, in many instances, diversions from the court system, making sure that juveniles had their due process rights just like adults did.

Deinstitutionalization, in many cases. Then that hasn't seemed to work out too well so any of those approaches or—it, perhaps, has not kept up with the time.

And in more recent times, there has been more of an emphasis on the chronic and violent youthful offender and moving him to adult courts and coming up with tougher penalties and things of that nature.

That's all at the Federal level. In the meantime, the States have come up with various solutions, usually in terms of harsher penalties and we have maybe a more liberal federal approach and a tougher state approach. But nothing has really seemed to make a tremendous impact. And we need to figure out what parts of those approaches work and what parts do not.

We passed the first Juvenile Delinquency and Youth Offense Control Act in 1961. Then we passed two pieces of legislation in 1968. Then, finally, the Juvenile Justice and Delinquency Prevention Act, that we're still dealing with, was passed initially in 1974. It's been reauthorized in 1980, 1984, 1988, 1992. Various approaches taking place. Many of the old original approaches being held over and just carried over with different amounts of money being applied to the problem.

So here we are again. I think, and my colleagues on the committee, I believe, think that it's time that we take an additional look at this and, as I say, see what works and doesn't work and there's no better place to start than in a community this involved on the front line in trying to deal with these problems.

Our first panel today I'm very proud of, Mr. Johnny Rawls, part-time employee and graduate of the Youth Habilitation Center here in Memphis. We have another young person who is behind this screen who is currently in detention and his identity will not be revealed.

Ms. Francetta Harris, owner of Phase II Hair Design and Creations. Pleased to have you here today. Ms. Charlesetta, is that right?

Ms. TEMPLE. That's right.

Senator THOMPSON. Temple. Douglass Elementary School alumni. They are doing wonderful things I want you to hear about. And Ms. Erika Davis, high school student, founder of Students Against Violence Everywhere.

So this is our first panel and welcome. I appreciate your being here. And I will just start to my left.

Mr. Rawls, would you like to make an opening statement?

PANEL CONSISTING OF JOHNNY RAWLS, PART-TIME EMPLOYEE AND GRADUATE, YOUTH HABILITATION CENTER, MEMPHIS, TN; FRANCETTA HARRIS, OWNER, PHASE II HAIR DESIGN AND CREATIONS, MEMPHIS, TN; CHARLESETTA TEMPLE, DOUGLASS ELEMENTARY SCHOOL, ALUMNI, MEMPHIS, TN; AND ERIKA DAVIS, HIGH SCHOOL STUDENT, FOUNDER OF STUDENTS AGAINST VIOLENCE EVERYWHERE, MEMPHIS, TN

STATEMENT OF JOHNNY RAWLS

Mr. RAWLS. Yes, sir. First, I'd like to say good morning, sir. Good morning, Senator Thompson, distinguished guests. Being here this morning to give an insight on what's going on and what has been happening to me, myself, and what I see going to happen in the next few years. Should I go ahead on with my speech?

Senator THOMPSON. Go right ahead. Pull that mike just right on close to you there and we can hear it.

Mr. RAWLS. I am 17 years of age and I have been in and out of trouble for the last 6 years. At first it wasn't nothing, you know. Shoplifting for candy and chips and things like this. I was never caught for these small things. It seemed like nothing would happen to me. My brothers were always into the same kind of stuff and they seemed to always get away with it, too. None of us had anybody over us all the time and we just kind of did what we wanted to. We ran on the streets together. I just cared about being with them and cared about what they cared about.

We stole from grocery stores and malls and nobody caught us. Then things started to get bad. Every time I turned around, the police were always getting me. I wasn't afraid of being caught, but now I was getting caught for drugs. At first, it really wasn't bad because they just tried to scare me, but everyone had told me how it was and I wasn't that scared. Then they got me for another drug charge and I got locked up. I still believed I was not in any big trouble. Next I got sent to a lockup place and I knew it could get bad. When I got out, I went back to my same people and got right back into the same thing.

Everybody I knew seemed to be into the same thing. Every place I went, I was in the same kind of trouble. The last drug charge got me sent to YHC.

I figured I could fool them just like the rest. It was a lot harder there. You have to do everything the way they want you to do things.

For a long time, I just laid back to see what they would do. They just kept at you all the time. I began to believe that they really mean what they say. I began to try and I got a position on the peer staff. I liked having some responsibility and I liked getting some privileges. It made me believe there might be something else besides what I have been doing. I began doing well in school and I got my GED.

I know I have been living a lousy life and I am trying to go in another direction, but it is hard on the outside. The same people are still around and every day I feel tempted to go back to my old ways. I know I have to keep going in the right direction and I'm trying to stay on the right path. The counselors still check on me and I am working at the YHC as a teacher's aid. I want to go to Shelby State and I am getting everything together to apply.

I know I don't have many more chances because the next time I will go to 201. I am trying hard and I know the counselors are there for me. I know I have done a lot of things that have hurt people, but I never really looked at it till I was forced to. I want to do—I want to be something other than what has happened to the rest of my family and I am going to keep trying.

[The prepared statement of Mr. Rawls follows:]

PREPARED STATEMENT OF JOHNNY RAWLS

I am seventeen years of age and I have been in and out of trouble for the past six years. At first it was no big thing. I shoplifted candy and chips and things like that. I was never caught for any of these small things. It seemed nothing would happen to me. My brothers were always into the same kind of stuff and they seemed to get away with it too. None of us had anybody over us all the time and we just kind of did what we wanted to do. We ran on the streets together. I just care about what they cared about and being with them.

We stole from grocery stores and malls and nobody caught us. Then things started to get bad. Every time I turned around, the police were getting me. I wasn't afraid of getting caught before, but now I was getting caught for drug charges. At first it really wasn't bad because they just tried to scare me, but everyone had told me how it was so I wasn't that scared. Then they got me for drugs again and I got locked up. I still didn't believe I was in any big trouble. Next I got sent to a lock-up place and I knew it could get bad. When I got out. I went back to my same people and got right back in the same thing.

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Senator THOMPSON. Mr. Rawls, thank you very much. We are proud of you and we appreciate you being here today.

Mr. RAWLS. Yes, sir.

Senator THOMPSON. Ms. Harris.

STATEMENT OF FRANCETTA HARRIS

Ms. HARRIS. My name is Fran Harris and I am a small business owner. I own Phase II Hair Designs and Creations located at 2393 Frayser Boulevard.

On December 16, 1995, we experienced our first robbery. My barber was there alone. He was held up by one lone black teenage gunman, he and three other customers. In that robbery, the black teenager obtained more than $1,300 from these people. But they were not hurt.

On January 13, 1996, the barber and one customer were again robbed by the same lone black teenage gunman. The barber, Silas Vasser, Jr., drove a 1994 Jeep Cherokee. The robber slashed his tires as a diversion.

When the customer and Mr. Vasser went out to check the damage on his vehicle, they were stopped by the gunman. Both were told to lie on the ground and pull out their pockets. The robber obtained more than $800 from these two men and then fled the scene.

Mr. Vasser reported robbery No. 1 to the police and the second robbery. Mr. Vasser was extremely upset by that second robbery and once he arrived home, Silas told several people of the incident. He spoke to the operators, his sister, and one of his customers. Around 3:30 a.m. that morning, Mr. Vasser died of a heart attack.

On January 20, we were again robbed by the same gunman. At approximately 1:15 p.m., they came in. We had two children in the shop. They pulled the two children into the styling room and again asked for bags, money, jewelry, watches.

They fled the building through the back entrance and proceeded down Mountain Terrace. The police were very, very good. They apprehended the two young men and brought them back and we did identify them.

Since that time, Mr. Vasser's family is suffering. My business is suffering because I'm losing my operators and I'm also selling my business. They are afraid to come and I'm afraid to have them come. This has been devastating not only on my business, but on my life.

Senator THOMPSON. Thank you very much, Ms. Harris. I know you summarized your written statement here and it's even more disturbing than the written statement. We will have a chance to discuss it a little bit more in detail.

Ms. Temple.

STATEMENT OF CHARLESETTA DICKENS TEMPLE

Ms. TEMPLE. I am the current president of the Douglass Alumni Association and I grew up in the Douglass neighborhood and graduated from Douglass High School in the class of 1957. Our group decided to organize back in 1978, but a year prior to that the group decided to have an exposition of the neighborhood to expose the talent and the pride that does exist in the neighborhood, especially for our youth.

Because we lived on the poverty area, a lot of children do not have what some others have and, as a result, they do not have the pride that we feel that they should have. So we had what we called a Douglass Expo and we now have that every year.

We started in 1977 and we hoped that this would instill pride. We have people that come back from out of town for this occasion and we showcase the fact that they are successful in obtaining excellence in education and in their job and their job security.

Our group organized and we now have five chapters throughout the United States: One in Chicago, one in Los Angeles, one in Detroit, and one in Cleveland, OH, and the one in Memphis. And we convene annually and this year, of course, it's going to be in Memphis, TN, and it's always around July 4.

Our group, after organizing, decided that we need to publish the history of the community so that everyone would know about Douglass community and then this would be left for our children and generations to come so that they would have that pride that they really needed. So we did that.

We didn't have any funds. So what we did was we sold ads to families and individuals in the community that—to showcase their particular families. They have pictures in the book and they wrote history about their families and we sold the books and that covered the expense of the books. The books are factual. They were researched. This material was researched for about a year and this book is found in the city library at the Peabody Branch in the Memphis Room. And we are very proud of that.

Our group also gives scholarships to children. Since our high school has been closed since 1981, our children are still in the community. They are being bused out. We give scholarships each year. We started in 1977 giving scholarships and so far we've been able to give at least one or, in the latter years, we've been able to give two scholarships to some child that would have graduated from Douglass school.

We get our money through the efforts of banquets and we take that opportunity to highlight people who are successful in the neighborhood at these banquets. For instance, last year we saluted outstanding women in the churches there in the neighborhood. People who had done outstanding jobs and we sold the tickets for the banquet and, of course, it was held at the hotel and this was the way that we got our proceeds for our scholarships.

We also saluted students from Douglass school who had become ministers because they impact our society in a very positive way. And we want to encourage those people and let them know that they are role models, so that they will be careful about the way that they do live among the people.

Our children in the community—our parents in the community decided that these elementary children would have uniforms but there were some children who did not have uniforms. We thought this was a great step in the right direction to have uniforms because there's a violent problem about brand name clothes. These Starter jackets and the tennis shoes and all they're taking from the children violently and the uniforms would diminish that effect.

So we solicited among our members to get money for the uniforms and we were able to purchase two sets of uniforms for about 40 children whose parents could not afford uniforms, for whatever reason, so that these children wouldn't have to dwell on the fact that they didn't look like the other children and, therefore, they could devote their time to their studies. And we hope that this has made that impact with the children.

We also give ribbons to the children every 6 weeks to encourage their creative ability and their imagination. This was done through a book that the Alumni Association underwrote financially. So we are constantly trying to instill self-pride and determination and responsibility in our children and we work diligently with our community and the neighborhood association which serves as an umbrella for the community.

And we are encouraging our children. We work in the schools. We volunteer our time in the schools. We are there when school begins and we are there when school is out.

Thank you.

[The prepared statement of Ms. Temple follows:]

PREPARED STATEMENT OF CHARLESETTA DICKENS TEMPLE

I grew up in the Douglass Community from birth to adulthood, I attended Douglass High School 12 years and graduated in the class of 1957. I own property in that community and work diligently in the Neighborhood Association there and have been a lifelong attendant of Morning Star Baptist Church, 1472 Locust St. in the Douglass Community. I retired from the Defense Distribution Region Central, (formerly known as Defense Depot Memphis), August, 1993 and am now employed part-time at Horizon Resources.

In 1978 a group of former students of Douglass High School saw a need to organize for the primary purpose of supporting the Douglass Community by furthering close relations between the home and school, and by assisting our youth and senior citizens. Realizing our needs, we formed by-laws and got a State Charter and became a non-profit organization. Since our inception, four (4) other chapters across the United States have been organized. Those chapters are in Chicago, IL, Detroit, MI, Los Angeles, CA, and Cleveland, OH. We convene annually being hosted by one of the chapters in their city or a city designated by the host chapter.

The alumni is an important part of the neighborhood association that acts as an umbrella for all our of community based organizations. The alumni has instituted programs and projects to instill pride, self esteem, responsibility and determination in our children. We realized that we wanted to be role models for our children and as a result every year, since 1977, the entire community celebrates, "DOUGLASS EXPO" which is an exposition of the talent and accomplishments of the community. It is always around July 4th. This year our National Douglass Alumni Convention will convene in Memphis, so it will combine with the "DOUGLASS EXPO '96". Our convention begins July 4th with a Marathon centered around the Douglass Park and music in the park afterwards. The Grand Opening Ceremonies being on Friday Night at the Douglass Community Center, a parade through the community and a picnic in the park on Saturday. Sunday's activities are at the Marriott on Thousand Oaks and are a Prayer Breakfast that morning and a Banquet Sunday Night showcasing some of the successful people in our society coming from Douglass School and Community. We have alumni members in every occupation imaginable and want our children to know they once lived in this same community and went to Douglass and the difference between them and people who don't succeed is making goals being persistent and determined.

In 1980, DAA felt the factual history of the school and community should be preserved and I was chairperson of a committee that researched and documented facts for a year that were published in 1981 in a book named, "DOUGLASS HERITAGE". We felt our future generations should have the facts about the beginning of our neighborhood and school and hoped this will also instill pride in the school children and community residents, just knowing how Douglassites had humble beginnings and have prospered through the years. This book can be found in the Memphis City Library on Peabody in the Memphis Room. My committee made a presentation of the Douglass Heritage Book to the West Tennessee Historical Society in their regular meeting. We had no funds or grants to produce this book, so we sold ads to individuals and families that allowed them to have pictures of their loved ones or document pertinent facts about their family members and prepared a special part of the book for that information. That book is held in high esteem among our alumni, residents and others who've read it.

We have given scholarships every year since 1978 to assist some child from Douglass to aid them in attaining their academic goals. Since the high school closed in 1981, we continue to award these scholarships and now give at least two scholarships, this is in addition to scholarships that our national organization also awards. We award the elementary school high achievers with awards each six weeks to encourage them to attain excellence and let them know we are very proud of them. We have a tutoring program that meets after school and is instructed by 2 certified city school teachers. We have computers for the students to use and now have 20 students enrolled. Now, many of the churches in the Douglass Community also award the children that attend that particular church and attain academic excellence, perfect attendance or other certified accomplishments in school.

Last year, the elementary school children's creativity and imagination was challenged by encouraging them to produce their writings and artistic work for publication. DAA again came to their aid by underwriting this financially and the results was a publication entitled, "DOUGLASS GLOBETROTTERS".

Also, last year, the parents of the Douglass Elementary School children decided that Douglass Elementary Students would wear uniforms of white shirts/blouses, navy blue skirts/pants and dark shoes. We knew this was a step in the right direction because so much violence has been generated from youths taking other youths name brand clothing. So we decided to buy uniforms for those whose parents could not yet afford to purchase the uniforms for whatever reasons. We purchased 2 sets of uniforms for approximately 40 children. We're hoping this will encourage them to have more pride and determination and devote their attentions to their academics. We discovered last month (January, 1996) the elementary school was trying to purchase an instrument for the band on a lay-a-way plan, we paid that balance to accelerate the time needed to train and be able to play the instrument. Now, as they participate in the many marching parades, they will look even better, sound better and hopefully continue to win 1st place trophies as they have done in the past. Many alumni members go to the school and volunteer to read with or to the students, address the student body during various occasions as asked, participate in the parent patrol who is there when school begins and ends and helps where needed.

Our next project, already in committee meetings, is to have a "RITES OF PASSAGE" for the elementary girls. We have a real concern about teenage pregnancy as well. We hope to increase the girls' self-esteem, pride, purpose, self-determination, responsibility and hope this will diminish teenage pregnancy and violence among our youth. We will spend more time with our girls that we can help to cultivate their minds (education), bodies (health & nutrition), and assist them with directions (goals) for their future. We will then initiate a "RITES OF PASSAGE" for the boys with the same basic purposes.

Our alumni members live and work all over the city of Memphis and we encourage them all to become active. We have approximately 150 members in the Memphis Chapter and are involved in every occupation imaginable and we constantly highlight these people. We are members of churches in the Douglass area as well. In 1994 at the Memphis Chapter's Annual Banquet, we recognized women of the area churches who had made outstanding contributions in their churches. There were about 20 recipients of our Certificates of Recognition and gifts to each. This encourages another segment of our community to do well and realize that they are role models for our youths. In 1995 at our annual Banquet, we recognized Ministers (male and female), who had attended Douglass School because we feel they are making a positive impact on our society and we are proud of them and they too need encouragement. We had about forty to participate in that event.

We encourage all ages to get involved with the Alumni so this tradition can be passed on to future generations, to reach out and help another person.

Senator THOMPSON. Thank you, Ms. Temple, very much.

Ms. Davis.

STATEMENT OF ERIKA DAVIS

Ms. DAVIS. Good morning.

Senator THOMPSON. Good morning.

Ms. DAVIS. My name is Erika Davis. I'm a president—excuse me—I'm a student at East High School, class of 1997. And I'm the president of SAVE—Students Against Violence Everywhere.

On January 26, Glen Taylor was shot and killed. On January 26, the same day, Jewel Jones was also shot and killed.

Last year alone, 21 adolescents were killed. In 1994, 22 were killed. In 1995, 22 adolescents committed murder and in 1994, 21 committed murder.

In my opinion, harsher penalties is not the answer. When people start robbing and stealing at 17, it did not start then. It started before then. We need people to stand up and take charge for, not only their child, but for the children they see going wrong. Not everyone has a parent willing to stand up for them. We need people who will be there. We need more counselors. We do not need more jails.

SAVE—Students Against Violence Everywhere—is a student-ran organization. It is our way of saying that we are tired of our friends dying and we are ready to do something.

We have just started. We have plans. We do skits and seminars and discussions and have rap sessions and setting up hotlines and whatever else it takes to get our point across. We need more people to stand up and take charge over someone instead of being willing to point the finger. We need more people like Ms. Temple to take charge and we need less people willing to sit there and say "It is all the youth," because it starts long before age 17.

If you don't have a child in the city school system or a child at all, it does not matter. You should take responsibility for that child as well because you do not know if they have someone willing to do it for them. People, we need to stop looking out for ourselves and we need to start to looking out for our fellow people.

Thank you.

Senator THOMPSON. Thank you. You have acquired a lot of wisdom in your few years, Ms. Davis.

We have also with us a young man behind the screen. Young man, can you hear me?

Young MAN. Yes, sir.

STATEMENT OF YOUNG MAN

Senator THOMPSON. All right. As I understand it, you are currently at the Shelby Training Center. Is that correct?

Young MAN. Yes, sir.

Senator THOMPSON. Would you tell the ladies and gentlemen here a little bit about your background? How you got into trouble, the kind of trouble that you got into to start with?

Young MAN. Well, first, it started out—I wanted the things that my mama could not purchase for me so I just went out and tried to get it myself. And that started a habit. I started doing it every day.

Senator THOMPSON. Just picking things up?

Young MAN. Sir?

Senator THOMPSON. Shoplifting?

Young MAN. Yes, sir.

Senator THOMPSON. All right. And then what?

Young MAN. And then shoplifting got boring for me so I started with assault and battery. I started beating up, just beating up other folks and stuff.

Senator THOMPSON. Yeah?

Young MAN. And then after that, I got caught up with the wrong crowd and I got into robbery.

Senator THOMPSON. You got into robbery?

Young MAN. Yes, sir.

Senator THOMPSON. And I believe that there has been about 10 complaints filed against you for robbery, has there not? Does that sound about right?

Young MAN. No, sir.

Senator THOMPSON. Well, you tell me what it was, then.

Young MAN. This is my first robbery offense right here. This is the first time I ever robbed.

Senator THOMPSON. All right. Was it an armed robbery situation?

Young MAN. No, sir.

Senator THOMPSON. All right. Had you been in the Shelby Training Center before?

Young MAN. Yes, sir.

Senator THOMPSON. And what was that for?

Young MAN. Shoplifting. Not shoplifting but theft of property.

Senator THOMPSON. Theft of property?

Young MAN. Yes, sir.

Senator THOMPSON. All right. Is your mother still alive?

Young MAN. No, sir.

Senator THOMPSON. All right. Who did you reside with?

Young MAN. With my sister. I lived with my sister and my auntie.

Senator THOMPSON. All right. So about how long was it that you were doing these things before you were brought to the training center?

Young MAN. Which offense? For the theft of property or the robbery?

Senator THOMPSON. How old were you when you did your first theft?

Young MAN. I was about 10.

Senator THOMPSON. Ten? How old are you now?

Young MAN. Fifteen.

Senator THOMPSON. All right. Can you tell us, do you think you are getting yourself turned around?

Young MAN. Yes, sir.

Senator THOMPSON. Well, tell us about that. What do you think about that?

Young MAN. What I think about it is that what made me turn myself around is when my mama passed away. I realized that I could no longer do the things I was doing because I had some responsibility to take care of—my sisters and my nieces and stuff. And then when I entered the Shelby Training Center, the staff members and the counselors and other members at the Shelby Training Center, they helped me change around. They helped me change my ways around, too. And now I know that crime does not pay. Crime just brings a lot more trouble.

Senator THOMPSON. Tell me about the training center.

Young MAN. The training center feeds you well. They dress you right. They make sure you are clean. They make sure you are educated. They counsel with the staff members and the members there. They talk to you and if you have some problems, they help you out. They help you see a way through your problems.

The Shelby Training Center is a nice place to be when you are incarcerated but I do not want to be there because I do not like being caged up like an animal.

Senator THOMPSON. Do they have a certain routine there that you have to go through every day?

Young MAN. Yes, sir.

Senator THOMPSON. What is that like? Describe it for us.

Young MAN. Do not talk without permission. Do not get up without permission. When you walk, walk in a straight line and do not talk. And always look forward because you may make a mistake and bump into the person in front of you and could cause a fight or something.

Senator THOMPSON. All right. You were in the training center before but you got in trouble again?

Young MAN. Yes, sir.

Senator THOMPSON. What makes you think you are going to stay out of trouble this time?

Young MAN. What makes me think I'm going to stay out of trouble this time is I am putting all my trust in the Lord, hoping that the Lord will help me through my evil ways, which He is doing now. And my family members, they help me through my ways and the counselors and stuff. They pay more attention to me because they do not like to see folks locked up, people locked up.

Senator THOMPSON. All right, sir. Thank you very much.

Mr. Rawls, you seem to be doing very well, right now. What do you think it was that turned you around?

Mr. RAWLS. Well, I figured to get out 3 months ago, you know, but I had messed up. I had to do my time all over again and I had a lot to make me think about.

Senator THOMPSON. What do you think caused you to get into trouble, a pattern of trouble, to start with?

Mr. RAWLS. My brother and them, you know, everything they was doing, you know. I was really walking around with them, you know. Everything they did, I did. So, basically, I was running around with my brother and them, you know, and they were not doing right themselves.

Senator THOMPSON. And you didn't have anybody looking out for you or disciplining you at that time?

Mr. RAWLS. Well, my mama, she was doing all she could for me, you know. My daddy, he left when I was little. My mama, she was doing all she could for me, you know. You know, working, you know. I guess she wanted us—could not tell us what to do, basically.

Senator THOMPSON. And then you got away with things for a long time and then by the time you did not get away, you were in serious trouble; is that right?

Mr. RAWLS. Yes, sir.

Senator THOMPSON. And now you have your goals set a little bit differently. Do you have any advice for us as to what to do with these young kids that look like they may be about to start down the wrong road?

Mr. RAWLS. Yes, sir. You know, all I can say, you know, I have been in the Shelby Training Center program, you know, it don't help you really, you know. It just lets you get out quick. You know, you get out in 21 days, 28 days. You don't get to think about nothing, you know. The training center, the YHC, you know. You do what you need to get out and if you mess up, you got to do it all over.

Senator THOMPSON. Well, what do you think can get the attention of the young person? Do you think if we dealt with them a little tougher when they were young that it would get their attention?

I mean, think about yourself. What could have got your attention and maybe have kept you from doing some of the more serious things that you did later on?

Mr. RAWLS. If they would have went ahead and sent me to YHC instead of STC.

Senator THOMPSON. Why do you think that would have been better?

Mr. RAWLS. I think I learned to take responsibility. Take charge. Take charge of the group, you know. The STC just sits around, laying around 21 days and you get right back out. Do at least, you know, how long at YHC depends on you.

Senator THOMPSON. Right. Right. Well, I appreciate that.

Ms. Harris, your story is the one that is repeated, I guess, many times, I guess. Basically, you've got a very soft voice. I want to make sure that picked up. You were robbed three times within the course of, looks like, a month, I guess.

Ms. HARRIS. A little over a month and a half.

Senator THOMPSON. A little over a month and a half. And were all three of these robberies perpetrated by the same person or persons or two of them?

Ms. HARRIS. Three robberies were perpetrated by the same teenager. He brought some help on the third.

Senator THOMPSON. He brought some help on the third one. How old did this person turn out to be, do you know?

Ms. HARRIS. Fifteen and seventeen.

Senator THOMPSON. Fifteen. The one that was there all three times. How old was he?

Ms. HARRIS. He was 15.

Senator THOMPSON. He was 15 years old. He came in three times. He brought a 17-year-old with him the third time?

Ms. HARRIS. Yes, sir.

Senator THOMPSON. And you have a beauty salon there and do hair and that sort of thing. How long have you been in business?

Ms. HARRIS. I've been in business for 9 years.

Senator THOMPSON. Nine years. At that same location?

Ms. HARRIS. Six at that same location.

Senator THOMPSON. This kind of trouble, obviously, surely could not have happened to anybody three times in a row very often, but had you had problems like that in prior years or is this just a recent thing?

Ms. HARRIS. We had never had any problems. This is something that was brand new.

Senator THOMPSON. From what you hear around, do you think that other people are experiencing more problems along these lines than they have just even a few years ago?

Ms. HARRIS. Yes; I do. I think there are more teenage thefts, more teenage problems, period. I don't have kids but I have nieces and nephews and they range from age 2 to 40.

You start at home. You can't wait until the child becomes 12 to try to change his ways. You must start from the cradle. And unless these parents become more concerned about where their children are, what their children are doing, we are going to have far more crime than we have ever seen in our lifetime.

Senator THOMPSON. Well, clearly, you hit the nail on the head. Can we go a step further than that? There are so many different ways we can attack this problem and there are so many different causes that most of us recognize often contribute to this problem, and lack of suitable adult supervision is certainly one of them. Breakdown of the home is certainly a major one.

What do we do with parents? Obviously, we have got to start worrying about the next generation now, the children that are not even born yet. And that has to do with the parents of those children. What will we do to have a situation where it is more likely for them to take responsibility?

Ms. HARRIS. Well, one, we have to stop so much of this teenage pregnancy. I am in my midforties. I didn't have a father in my home but I had a very strict mother. You brought nothing in her house that she did not buy. If you borrowed it, you had to take it back.

You had your next door neighbors who watched out. You were not going to do anything that somebody did not know about. And those people would stop you. Once you were disciplined by them, you were also disciplined by your parents.

But today, we have to start looking out for each other again. We are in some trying times. And unless the young mothers today get parenting and to know how to deal with their children, you will either have them in jail or dead.

Senator THOMPSON. It is a sense of community that we no longer see.

Ms. HARRIS. We lost it in the community and responsibility.

Senator THOMPSON. We no longer seem to have these. Is this a matter that is going to have to be dealt with by the churches, by the government?

Ms. HARRIS. Senator Thompson, it is a problem that is going to have to be dealt with by everyone. Your church cannot do it alone. Your school systems cannot do it alone. It has to first start at home. They took prayer out of school but you can pray at your home.

Senator THOMPSON. By the time children get to school, they are already of an age where their patterns are set.

Ms. HARRIS. It is too late. You cannot stop a 2-year-old from doing wrong by smiling and laughing at the things that they do wrong. You must stop that child at 2. If you do not, when he gets 12, he will whip you.

Senator THOMPSON. Let me touch on another problem. We could talk all day about this matter. One of the other problems, obviously, that we focused in on as a society is one of poverty and a solution to poverty is, certainly, better jobs and economic uplifting and so forth, and the irony of this is that is exactly what you are doing. You are a small business person. Do you employ anyone else?

Ms. HARRIS. Yes, I do. I have six operators.

Senator THOMPSON. You employ six people, a small business person. You are the example that people ought to be pointing to as to what can be done. And yet, you were subjected to this sort of thing and so the problem just turns around on itself. And I would be interested in knowing, with regard to the current problem, what you can say about the 15-year-olds who are out on the street today. What do you—these offenders were apprehended, as I understand it. The police did a good job?

Ms. HARRIS. Yes. They did.

Senator THOMPSON. Do you have any views as to what we do with maybe those who are too old and have gotten into such a pattern, hopefully unlike these two young men, they have gotten into such a pattern that they will not turn back?

Ms. HARRIS. You have got some of our teenagers like some of our adults that are going to be lost, all lost and will fall by the wayside. There will be nothing that you can do for those people. But the ones that are trying, we all as a community need to pull together and try to help them do better.

Senator THOMPSON. Very sound advice.

Ms. Temple, you and your group, a totally private organization, formed after you just got together and saw a need in your community and decided to do something about it.

Ms. TEMPLE. That is true, Senator Thompson. We felt that there needs to be a closer relationship between the home and school. And to instill pride in the children and so the children will know that "I do not have to go along with somebody else just because they are doing this," you know. Teach them to be responsible.

And so this is why we got together, to assist our youth. And we also assist our senior citizens as well. We do things. We are watching out for them and have entertainment for them, like a dinner. We were doing that at Thanksgiving time and then we give them fruit baskets or something to keep them feeling good about themselves, as well. Some of them are almost paranoid because they have to stay so locked up in their homes. And when we do this, we go and transport them and bring them back.

Senator THOMPSON. Stay so locked up, why?

Ms. TEMPLE. In their homes because of break-ins and violence and all of this in the communities. So to keep them more alert and all of what is going on in the world, we prepare entertainment for them. And we try to have our youth there to connect with the elderly so that they will have respect for them there in the community.

It is a small community and everybody pretty much, well, we used to know everybody. Everybody knew everybody at one time. But there are some who do not and we want to show them that this community is a community with pride.

When a person has pride within themselves and about themselves, they will not be so quick to just do anything. And this is what we are trying to do with our children.

We are working with our elementary school in tutoring, helping them to—we want to feed their minds as well. And we have got a resource center—family resource center that started in the elementary school where we are trying to teach the young parents parenting skills so that they will know how to to take care of their children.

Senator THOMPSON. The very kind of thing that Ms. Harris was talking about.

Ms. TEMPLE. Right. The very same thing. We teach them parenting skills and then a social outlet, sometimes the young parents are cooped up with the children, you know, to an extent, and they don't feel good about themselves either. And as a result, this gets through to the children. So we try to make everybody feel good about themselves.

Senator THOMPSON. Let me ask you this. You are in, what, five different places now? Five different cities?

Ms. TEMPLE. Yes. Our organization has five chapters.

Senator THOMPSON. Are there other organizations like yours that you have heard about that are in other cities where people have decided to come together and do something similar to what you are doing?

Ms. TEMPLE. I must say that after our organization started, then I did hear about some others, but I did not before our organization was started in 1977.

Senator THOMPSON. I was just wondering. There is no reason why others could not do the same thing that you have done.

Ms. TEMPLE. That is true. And I think it is kind of catching on, the more exposure that we get. That is one—another reason that I was very glad to have this opportunity to come so that everybody could know about what we are doing and, hopefully, it will catch on.

Senator THOMPSON. That is one of the reasons why I wanted to have the hearings and have you and people like you as witnesses. I think there are an awful lot of good people out there who are looking for a solution and looking for something positive to do but do not know which way to turn maybe.

And I was not aware of your organization until we got into this but you are going right into the community and you are attacking the problem at the root cause. And you are holding up these people as examples to these young people. They do not see that on television. That is not the kind of heroes that they see oftentimes. But you are bringing back people in who have come from that very community, made successes of themselves and give an example to young people as to what they can be. Do you have any other additional observations that might be of help to us in terms of solving this problem we have got?

Ms. TEMPLE. Well, we have realized, too, that, as Ms. Harris mentioned, teen pregnancy is a problem and we are now in committee meeting to instill the rights of passage to let them know about their history and to instill self-pride again and determination.

Senator THOMPSON. This is a program you have for young women, I believe?

Ms. TEMPLE. The first one is going to be for young women. We figure that if we get those young women, that will be a great impact because this is where the pregnancy is coming, from the young women, you know. If they are of such that they feel real good about themselves and have a goal and be determined to reach their goal, that that in itself will cure teenage pregnancy.

And as a result, it will also cure poverty. Because they will want to get out and get things for themselves and we show them that you don't have to have a Federal grant or a handout in order to do things for yourself.

Our neighborhood has always been one that has done things for themselves. I remember as a kid that the people in the neighborhoods canned food for the school children to eat and this was instilled in us. And somewhere along the line, we have, I guess, the media has played a great part in really coloring the children's minds. And they have forgotten a lot of the grassroot efforts. But we are trying to instill those grassroot efforts in our children.

Senator THOMPSON. Well, bless your heart, I mean you are doing the Lord's work. If you can just instill in these young women that the surest ticket to poverty is getting pregnant.

Ms. TEMPLE. Right.

Senator THOMPSON. If they want to go down the road to poverty, and so many cases never get above poverty statistically, that is not just guesswork. Statistically, that is a sure ticket to it right there. And you will be doing them a great service.

Ms. Davis, thank you for coming today. Tell us a little bit more about what you are doing in your school there and what you plan to do to deal with the violence that you have seen around you.

Ms. DAVIS. Excuse me? I did not hear the first part of it.

Senator THOMPSON. I just want you to tell a little bit more about what you are doing there in your school, the program that you have alluded to as to what you think your students could do. I mean, you are dealing now with your peers. You are dealing with your fellow students of your own age group. Is that right? Those are the ones that you are trying to talk to, trying to talk some sense into, right?

Ms. DAVIS. Right.

Senator THOMPSON. And how do you think you can do that? A lot of people think by the time young people get to be your age that there is nothing you can do with them anyway. I take it that you do not agree with that.

Ms. DAVIS. No, sir. I do not.

Senator THOMPSON. Well, talk about that a minute.

Ms. DAVIS. Well, first, we start by putting attention grabbing signs and statistics around the school. Such as one out of every three killed this year was a child. Fifteen students have died in the last 12 months. Things such as that. And telling them that you can make a difference. If it is not someone our age, it can be someone that is 5 years old, 6 years old. They are looking up to us. We need to set examples that they can follow.

We have people that have come in and show us how to give lectures to younger kids and kids our age on how to hold seminars and discussions and rap sessions. And we need people willing to come in and speak and let us know there are other ways of solving their problems.

Senator THOMPSON. In other words, you are actually dealing with very young kids sometimes? You are——

Ms. DAVIS. We plan on going into the elementary schools and talking to them in day cares and churches and everywhere.

Senator THOMPSON. Well, you see, they will probably come a whole lot more near listening to you than they would to me. Or somebody my age. So what you are doing is doubly important. What do you think among young people your age, how old are you, if I may ask?

Ms. DAVIS. Sixteen.

Senator THOMPSON. Sixteen? For young people your age or maybe even a little bit younger, what do you think are the influences that are out there that seems to cause so many people to get in trouble? Back when I was in school and Ms. Harris and Ms. Temple were in school, we did not have to confront or deal with any of this. What do you think is going on nowadays that is causing this problem?

Ms. DAVIS. TV, entertainment, all things such as this. We seem to be downplaying people such as Ms. Temple and we seem to be, I cannot think of the word but, idolizing people like Jeffery Dahmer. I mean, it is more attention on people that kill than people that are trying to stop the killing.

Senator THOMPSON. You have put your finger on another real problem. In the first place, the amount of TV that is watched nowadays is more and more than it ought to be. Do you think it is the violence on television or do you think it is the morals that are depicted on television that is the problem?

Ms. DAVIS. I think it is both. A parent should be able to sit there and tell their child what is real and what is entertainment. A parent should monitor what their 6-year-old watches on TV, or what their 4-year-old watches on TV, what their 12-year-old is watching.

Senator THOMPSON. Do you see kids or young people emulate or try to be like characters on television or do they talk about that or who is cool and who is not? I do not think cool is the correct word any more—do you see that? Do they really have an influence?

Ms. DAVIS. Yes, sir. They do.

Senator THOMPSON. Could they have a good influence? I mean, if these same people were talking to young kids about what they should be doing, do you think they would listen? Who will young people listen to? We have politicians who talk and police officers and court officers and judges and case workers and all of that. They are all talking to these young people. Who do the young people listen to?

Ms. DAVIS. The young people listen to other young people and they listen to people they see on TV. If entertainers were doing more positive things than negative things, I think it would make a difference. But, apparently, negative is what is selling and making them money.

Senator THOMPSON. Well, I am going to keep up with you. You are going places, young lady. You are very insightful and are to be commended. Just listening to all of you, even—yes, ma'am?

Ms. DAVIS. Excuse me. One of our goals of SAVE is to have youth involvement in legislatures on issues such as State, local, and Federal levels. We think that youth should get involved in the planning stage, not in the result. We should be involved long before it is too late.

Senator THOMPSON. I think you have made that point and I will be sure and carry that back. And I would not be surprised if it happened to do some good.

Thank you for being here today. Your testimony, all of you, has been very, very, very helpful. Obviously, we have some tremendously serious problems but we have some very serious people doing some good things in this country and obviously we need to try to expand on those things. Focus in on the real problem as you have here and then expand those good things that are going on.

I am encouraged because everybody seems to have an answer. We need to do this. We need to do that. We need to do the other. I think where most of us are beginning to realize the problem is so pervasive and now we are seeing this lull in the number of young people and still crime is on its way up. Pretty soon, at the end of the century, we are going to have an additional million young people in the problem age category. And half of them will be male and a large part of those males will be in trouble.

So, I think the problem is so great that most of us have concluded now there is going to have to be attacked across the board from very strict, tough punishment for those hardened young people who will not be deterred on one hand to the cradle on the other, as you mentioned.

And your testimony will be helpful in trying to fashion some of those solutions.

Thank you very much for being here.

We will call our next panel up, if I may.

The next panel will be Mayor Jim Rout, Mayor W.W. Herenton, Mr. Bill Todd, the Honorable Kenneth Turner. Those gentlemen are here.

We are honored to have such a distinguished panel. Gentlemen, for those of you who have not been here, we want to welcome you again and express our appreciation for being here on this problem that I know that is extremely important to all of you.

We are all familiar with the recent report that came out. There is some good news and bad news, I suppose, comparatively, in all these reports. But as we look into this situation, part of the good news is what you all are doing to address the problem. This community is to be commended for so many of the things that are going on here as well as you gentlemen that are on this next panel.

So we are looking for ways to identify the problem and we are looking for solutions and what is working and what is not working. What, as far as this panel is concerned, what has been your observations as to what works and does not work. What is the government's part in that? What part is it that government cannot solve, perhaps? And specifically, what is the Federal Government's proper role in this particular area?

So, again, we thank you for being here and Mayor Rout, we will just start with you.

PANEL CONSISTING OF HON. JIM ROUT, MAYOR, SHELBY COUNTY, TN, ACCOMPANIED BY PEGGY EDMISTON, DIRECTOR OF COMMUNITY SERVICES; HON. W.W. HERENTON, MAYOR, MEMPHIS, TN, ACCOMPANIED BY WALTER WINFREY, POLICE DIRECTOR; WILLIAM "BILL" TODD, PRESIDENT, MEMPHIS BOARD OF EDUCATION, MEMPHIS, TN, ACCOMPANIED BY DR. JIM PAAVOLA, DIRECTOR OF PUPIL SERVICES; AND HON. KENNETH TURNER, JUVENILE COURT JUDGE, MEMPHIS, TN, ACCOMPANIED BY JEUNE WOOD, DIRECTOR OF INTERAGENCY SERVICES

STATEMENT OF JIM ROUT

Mayor ROUT. Thank you very much, Mr. Chairman. Let me say on behalf of our mutual constituents here in Shelby County, I want to thank you personally for convening this hearing here in Memphis on juvenile justice and violence, and allowing us to play a very major role in the development of some critical Federal policies in this area. We appreciate that very much, Senator.

Since your election as Senator for this area, you have demonstrated a sensitivity, I believe, to the issues that are going to shape the future of this community and you have brought a national prominence to these solutions. As you mentioned, we have just recently had our crime prevention study so it is very timely that we move together on these.

As you know, I do not have responsibility per se for law enforcement. However, that does not mean that our administration in the Shelby County government does not have a powerful stake in the issue of juvenile crime. We have that, Senator, in the form of prosecutors, public defenders, pretrial services that we provide, the Justice Center which is the only jail we have in this community, the Shelby County Correction Center. In addition, of course, Sheriff Gilless who operates the jail for us, for Memphis and Shelby County, is involved and so is Judge Turner, a member of our panel this morning, who really has been the architect of the county's juvenile court and is nationally acclaimed, as you know, as a recognized model in this Nation.

I think even more importantly, though, Mr. Chairman, is that Shelby County devotes almost 50 cents of every dollar of property taxes that we take in, we devote that to education, where our attack on juvenile crime, in our opinion, must be centered, and we also fund in county government a full range of social and human services that attack both the causes and the effects.

Let me just mention, if I might, a few very troubling indicators, Mr. Chairman, that we see.

In the past decade, murder, burglary, and robbery cases in juveniles have more than doubled here.

And there are more youths referred to juvenile court, as Judge Turner can tell you here, than all other metropolitan areas of Tennessee combined, Knoxville, Hamilton, Bakerston, all of those.

That more teenagers die violently here, again, than all other Tennessee metropolitan areas combined.

And we have more adults in jail cells in this community than there are in the prison systems of 20 States in the United States of America.

There are about $200 million spent each year on criminal justice in this community. That includes, Mr. Chairman, from arrest to final incarceration. What that does, as you know, is rob us of some scarce public resources that we could much better use for schools, parks, neighborhoods, libraries, things of this type.

In the past decade, there has been a pronounced increase in teenage crime. This has taken place at a time when the teenage population in this county was actually decreasing. This is not going to continue, however. Projections are for the youth population to increase some 10 to 15 percent in the next decade. And we feel that without a coordinated, communitywide response to juvenile crime, that we will head into a waive of crime that can swamp the entire criminal justice system.

And in such an environment, that will not be good and nothing becomes more important then, therefore, than coordinated responses. As a result, it is my opinion that Federal legislation should be directed at achieving two specific goals. One, a coordinated, comprehensive, community-based effort to fight crime and a flexibility that allows local communities to take innovative approaches.

It is clear that the problem of juvenile crime will not be solved in a single attack on a single front. Rather, it is our opinion, it can only be solved by dozens and dozens of assaults from all sides.

Because of this reality, since taking office as the mayor of Shelby County, I have developed and we have funded a special grants program that pays for neighborhood watch activities. We have also are opening—or have opened a victims' assistance program in our community. We have led the consideration through our transition team when I became mayor to the justice coordinating committee to develop an intervention program that uses the at-risk behavior of truancy as the way for us to gain a foothold into troubled families in this community. And, of course, we are supporting the Foote and the Cleaborn Homes community art programs that we think provide young people with an opportunity to engage in arts programs after school when so much juvenile crime takes place as was evidenced in the crime report.

We think that only through a web of interlocking programs can we best have our chance of success. With the demographic trends that lie before Shelby County, it is clear that we cannot build our way out of this problem. It is equally clear that if the juvenile court is the first time that we record the presence of these young people in our community, it is already then, therefore, many times too late to save them.

Instead, we must focus our efforts on intervention programs that identify at-risk youth before they enter the court system. For this reason, I strongly support title V in the Juvenile Justice and Delinquency Act and we are intrigued by the Youth Development Community Block Grant introduced by Senator Nancy Kassebaum.

And to this end, we should not fund any program we believe that does not meet the following core principles. One, it must strengthen families in their role of providing guidance and discipline and instilling sound values. It must support core social institutions, such as schools, churches, neighborhood centers, and other community-based organizations that can be the early warning system to notify us of children whose futures are threatened and can be the source of services that offer them alternative futures.

It must promote intervention strategies that offer alternate lifestyle choices to these young people in at-risk situations. And it must act decisively when delinquent behavior is first exhibited.

Let me close by saying it must also identify and control the small segment of serious, violent, and repeat juvenile offenders whose activities threaten the general welfare.

As I mentioned, none of this can be accomplished without community based, comprehensive planning, and I urge any legislation at the Federal level to act as an incentive to end fragmented public services and agencies and to establish coordinated efforts and networks.

Because of their regional service delivery systems and broad range of programs affecting juveniles and justice, counties have an important role to play in a comprehensive process. Speaking as the mayor of Shelby County and as a board member of the National Association of Counties, I can assure you, Mr. Chairman, that counties are ready and willing to take our rightful place in this effort, both locally and throughout the Nation.

Thank you very much, sir.

Senator THOMPSON. Thank you very much, Mayor Rout.

Mayor Herenton, we certainly appreciate you being with us here today.

STATEMENT OF MAYOR W.W. HERENTON

Mayor HERENTON. Thank you very much to the Honorable Senator Fred Thompson, U.S. Senator, to the Honorable Mayor Jim Rout, the Honorable Judge Kenneth Turner, and to school board chairman Bill Todd, all members of this panel.

Senator, let us express our gratitude to you for hosting this very timely forum in this community on youth violence.

Several weeks ago, the Memphis and Shelby County crime report was released to the Memphis public. This report clearly demonstrated that among cities with populations of more than 500,000, Memphis ranked first in the number of burglaries committed, second in the number of rapes committed, fourth in auto theft, seventh in property crimes and eighth in homicides. Senator, these statistics, while very alarming, disturbing, do not surprise me.

As you know, Memphis is a large urban city with some very acute urban problems. If nothing else, the Memphis and Shelby County crime report is a call to action. Where do we begin? How do we reduce our crime rate overall and among youth? I believe it is imperative that we look beyond crime statistics and look very closely at the demographics which make up this city. And I argue that Memphis is similar to many other communities across this Nation.

Nearly 40 percent of African-Americans live in poverty. That, coupled with an expanding under class in Memphis, helps to explain the growth in crime during the mid- and late-1980's.

In addition, many of our youth come from broken homes. There is no question that per capita income and the deteriorating family structures are factors contributing to an increase in crime. We need to develop not only crime initiatives but also continue to create job opportunities, housing opportunities, in an effort to break the cycle of crime and poverty.

Statistics have shown the incident of crime decreases dramatically for those who live in poverty and who are able to escape the bleak conditions of the inner city. We must target our youth. The reports show that violent crimes are on the rise. While the population of the Memphis youth continues to decline, crime involving young offenders continue to grow.

The report states that from 1980 to 1990, the population of Memphians aged 5 to 17 declined 17 percent. Yet, the number of homicides, drug related offenses and other crimes attributed to juveniles rose fairly steadily.

For example, in 1994, 39 juveniles were charged with first or second degree murder. We know, Senator, of one program which has proven to be effective. That is the Head Start Program. This program targets at-risk children at a very early age. It helps to provide health related services, educational opportunities, and home visitations. I would urge you, Senator, in your esteemed role, to support additional funding for the Head Start Program. As an educator, former educator for 30 years, I can attest to the fact that it works.

The goal is to provide early childhood enrichment programs so that we can reach a child before he or she gets into trouble. I intend to support programs which call for early intervention and will visit at least three cities where successful programs are making a difference and we will implement similar programs here in Memphis.

Since the crime report has come out, I have recommended to the Memphis City Council a list of names of individuals which have been approved to serve on a civilian review board. We hope that this civilian review board will give greater strength to community police relations. I am also exploring the idea of creating a criminal justice coordinating council, which will bring together all of the crimefighting agencies and organizations. I believe that collectively we can substantially reduce the crime rate as opposed to fighting crime independently. It is our intent to have an overall crime strategy within the next 45 days.

In closing, I would like, again, to express my appreciation to Senator Thompson for hosting this forum and I would also like to take this opportunity to commend the Guard Smart president, Ira Lipman, for chairing such a meaningful initiative crime report.

And we thank you, Senator, very much.

Senator THOMPSON. Thank you, Mayor.

Mr. Todd.

STATEMENT OF BILL TODD

Mr. TODD. Thank you, Senator Thompson, for having us here and amen to what Mayor Rout and Mayor Herenton said about having you coming to Memphis for this hearing.

In the Memphis City schools systems, we are very gratified that the majority of our students report to school every day, study hard, and conduct themselves responsibly. In the last several years, however, society has changed. These young people on a daily basis are exposed to violent images and behaviors that permeate their lives. This has a strong impact on our students.

Although still a small number, some Memphis City school students repeatedly make poor choices about their behavior and, as a result, disrupt the classroom, negatively impact others, and sacrifice their own educational success.

One of our major responsibilities as educational leaders is to provide a safe and secure learning environment. To secure that the atmosphere for our school system, we initiated a school violence task force in 1993 to examine the extent, contributing factors, and causes of school violence, and to propose initiatives to deal with incidents of violence.

One of our basic beliefs that guided the development of this program is that students who are engaged in meaningful work and who are successful with that work are far less likely to exhibit unacceptable behaviors. While addressing the issue of violence, we maintain a continuing goal to improve the teaching-learning environment so more students can consistently experience success.

As the work of the steering committee continues, subcommittees are focusing on training issues, violence prevention, program evaluations, and community collaborations. The steering committee will also help review and revise policies as needed. Additionally, a manual has been compiled to help guide administrators through responses to a number of potential crises.

The school safety initiatives are based on the following list of needs identified by the task force for the school system.

No. 1, assess the safety of each school and tailor interventions accordingly.

No. 2, take a strong public stand on commitment to the personal safety of students and staff and publicize specific initiatives taken to reduce violent incidents.

No. 3, to increase parental commitment to and support of schools.

No. 4, equip staff to foster a nonviolent climate in Memphis City schools.

No. 5, prepare students to deal with conflict nonviolently.

No. 6, clarify and consistently enforce policies regarding student behavior.

No. 7, encourage community awareness of school issues in a positive way.

Now, let us look at some of the specific areas in which we have been working with and we have had these divided up in basically three areas: security or enforcement, prevention, and intervention.

So we will start off with the basic security measures that we have done to help the situation.

Two-way intercoms in each—placed in all classrooms to ensure immediate access to assistance in emergency situations.

Doors with panic bars. With repair and preventive maintenance on all exterior doors and panic bars, all schools now have the ability to limit access to one entrance during the school day and better monitor school visitors.

Metal detectors. Walk-through and hand-held metal detectors are now being delivered to 65 sites in our school system. That includes all middle, junior high and high schools, and some vo-tech centers.

Each school will have 1 walk-through metal detector for every 500 students and 1 hand-held detector for every 300 students. All schools will have a minimum of one walk-through and two hand-held metal detectors. All personnel who will be using the equipment received a 4-hour training period.

Board policy requires that each school will have metal detector assisted searches a minimum of nine times each school year.

At this point, over 400 personnel have been trained to use metal detectors and over 400 scheduled for later this month. Those detectors being installed now; up and running we have 35. Right now.

Nonrandom searches may be conducted if reasonable suspicion exists that a weapon will be found. By using the random searches, we hope to deter students from bringing weapons to school.

Next item is the school safety assessment. Each principal has been asked to form a site-based safety committee to oversee safety issues in the schools. An assessment checklist was developed by the district-wide steering committee and distributed to all schools to help identify and measure areas important to school safety.

Officers in the schools. With a tremendous cooperation of the Memphis Police Department, we have a total of 26 police officers continuing to be located in 44 schools. Eight secondary schools have full-time officers and 36 secondary and middle schools share officers.

Now, we will go into prevention. Uniforms, mentioned earlier today. Because jealousy over clothing has sometimes resulted in aggressive behavior, 16 schools have now elected to pilot school uniforms as a violence deterrent. Students wear uniforms on a voluntary basis.

Conflict resolutions. Conflict resolution materials were purchased for each school library based on the recommendation of the steering committee, and guidance counselors were trained in these materials in a half-day workshop. Four junior high schools are using a training program that utilizes high school students to teach and model skills for younger students. That was an interesting part of what Ms. Davis said today. Another 19 schools have received faculty training in conflict resolution skills from the Center for Drug Free Schools.

Peer mediations. Eleven schools—middle, junior high and high—were chosen to take part in a pilot program on peer mediation. A cadre of student mediators was trained at each school to help peers find peaceful solutions to their problems.

Problem solving skills. Forty-two schools are using the I Can Problem-Solve program as a supplement to the language curriculum for kindergarten and first grade classes. Guidance counselors are coordinating the program which teaches students vocabulary to be used in identifying feelings in themselves and others, as well as skills in generating ideas to solve problems.

Student Advisory Councils was formed by Memphis city schools and the police department to communicate the concerns of Memphis youth. Students from 29 schools meet monthly.

Nonviolent crisis intervention. All Memphis city school staff is being trained in the safest, most effective ways to manage disruptive students by recognizing stages in crisis development and learning to deescalate the situation.

Senator THOMPSON. Excuse me. You might want to summarize some of this. This is all very good, but it is a little longer than most.

Mr. TODD. OK. I will be glad to.

Senator THOMPSON. All right.

Mr. TODD. We have moved into gang awareness training with the cooperation of the police department. We have had workshops on that extensively.

We have a gang prevention grant that helped us in that area. Monitoring suspensions and transfers is—we keep up with that within the gang-related methods. So we are very well aware of the gang situation and what is going on with the cooperation of the police department in the city.

Parent patrols. This is the one thing that has really been effective, Senator, in an area of town. We have parent patrols who volunteer to patrol students.

We are involved in two other programs in our presentation, the GREAT Program and the DARE Program which are nationally known programs around the country.

Intervention. We have developed a student code of conduct which is issued to all students, signed on by the parents, their conduct and what is expected by our schools.

The alternative programs. We are committed to developing programs for students who cannot operate in the everyday environment of a school. And we have many of them that are listed. The Options School, the Middle College High School, has been most effective. On down the list, we have a number of those things that are working within the alternative area.

We have a zero tolerance policy that we developed by the board that has been started and had a great effect on our school system. We are getting started and it is a situation where we have over a number—have an over amount of students that have been suspended but that will—it is a new program and it has worked effectively—maybe too effectively sometimes.

We have a weapons hotline which has worked for us very well where students call in and report weapons that they know of or think that somebody has a weapon in school and it has worked extremely well. To this date, this school year 1995, we have 39 reported firearm cases and 26 recovered firearms. It appears to be down some from previous years. We had 95 firearms last year—1993–94; 88 in all of 1994–95. So it is working to a degree and we, hopefully, that we have them all gathered, all the youth are in the schools and we are making a tremendous effort to deter violence.

Thank you.

Senator THOMPSON. Thank you very much, Mr. Todd. That's very helpful.

Judge Turner, you sit on the frontlines of this issue and you are nationally known for your work in this area. And we appreciate your being here with us today.

STATEMENT OF KENNETH A. TURNER

Judge TURNER. Thank you, Senator Thompson. It is a pleasure to be here and I appreciate the remarks of the other gentlemen on the panel. A lot information is coming out here.

There is more concern about the crime problem nowadays, especially the violent crimes by juveniles, than ever before in history. And, indeed, there is a greater cause for concern now than ever before.

I frequently sum up the problem with three words, "Drugs, guns, and gangs." And that is where most of our trouble really originates.

The staggering increase in crime in this country, including violent crimes against persons, began in the 1980's, jumped up over a third in 1 year. And coincided with widespread trafficking in crack cocaine and the ready availability of cheap handguns. There was a 63-percent increase in the number of juvenile delinquency cases brought to the juvenile court in Memphis during the years 1984 to 1994, up from 8,700, I'm rounding the figures now, to 14,000, in this one decade.

For the first time in a decade, juvenile court records in 1995, the year just passed, reflect a decrease in every area except child custody cases. We had more of those. Not a large increase but at least—rather decrease—but at least it is not an increase. We have had increases every year for the last 10 years. I do not know what this means, exactly, but we are watching those stats and we will have more to say next year.

Murders, drive-by shootings, and other major crimes of violence by juveniles are largely attributable to drug trafficking. Indiscriminate drug testing, that is urinalyses, of juvenile offenders ages 14 through 17, we tested that come through the detention center, reveal that 30 percent of those tested were, in fact, using illegal drugs—30 percent. What we are detecting here is cocaine and marijuana. Other parts of the country, of course, we know that there are other drugs.

A large number of juvenile court cases, including dependent and neglected and nonsupport cases, are due to illegal drug trafficking. An average of one third of the juveniles committed by the juvenile court to correctional facilities were for drug-related offenses.

Drug trafficking, like handgun circulation, is a national problem but vigorous law enforcement and certain punishment at the community level are effective deterrents. During the calendar year 1995, 829 Shelby County juvenile offenders, brought to the attention of the court, used handguns in the commission of their crimes—829 last year.

Juvenile court is working closely with U.S. Attorney Veronica Coleman and her staff in a vigorous effort to trace more of these handguns to their source. It is a mystery to me that we cannot seem to find out where these guns are coming from.

Congress and the State legislatures are currently reacting to the public outcry for something to be done to curtail crime, and especially crimes of violence. It is rightly being proclaimed that we must restore an orderly society in which citizens can feel safe in their homes, property, and persons.

In the just-released crime report that both of the mayors present referred to, the assessment of the crime problem in Memphis, in their report says, and I have to say that I am very pleased to see this in the report, "In fact, we find the Juvenile Court of Memphis and Shelby County a model for juvenile courts throughout the country. Nevertheless, this court can little affect the delinquency rate in Shelby County." Now, I did not pay for this report.

It has been said that "there are a thousand hacking at the branches of evil to one who is striking at the roots." The roots of the evil of crime in our society are in family disorganization.

The family is the cornerstone of civilization. We have in one generation seen that cornerstone crumble and threaten to topple our society.

The percentage of children born out of wedlock in the United States has almost tripled in the last 20 years. The percentage of births to unmarried women is steadily increasing and, a majority of the births in Shelby County are out of wedlock. A majority. It is the family of disorganization. And most of these children being born out of wedlock will be public charges and will grow up without a father in the home.

We do not need to look much further to see the cause of the increase in our crime rate. For that matter, most marriages now end in divorce. The divorce rate has doubled during the past 30 years, causing further a major breakdown in the traditional American family.

Most juvenile offenders are, of course, products of their environment and, while we have concern for disadvantaged children, we do not feel so sorry for the youthful offender that we forget our concern for his innocent victims.

I think we need to be more mindful that parents have basic responsibility to the community for the proper care, supervision and financial support of their children. In recognition of the parents' responsibility for support, Congress, in 1975, enacted title IV–D of the Social Security Act, sometimes referred to as the Federal Child Support Enforcement Act. That passed in 1975.

But our court has always vigorously enforced child support and I would like to see some Federal aid in that area, though. That law has been most beneficial to children and to taxpayers generally by requiring absent parents to provide financial support for their children, thereby reducing the welfare rolls and improving the quality of life for mothers and children.

At the same time, part of this program we are legitimating these children born out of wedlock, giving them their daddy's name and requiring their fathers to support them. During the time that I have been in office, I have signed orders legitimating well over 100,000 children. We keep tabs on them—104,000.

From the reports I have seen, there are 50,000 children in Shelby County ages 5 through 10 and, in just a few years, they are going to become juvenile delinquent statistics if we do not get ahold of them early.

I really appreciated what Mayor Herenton said about the Head Start Program. That is one of my favorite programs, too. I would like to see that program—that is one of the best programs I have ever seen.

And early intervention—the juvenile court is working on more and more—the juvenile court is becoming a social service agency inasmuch as if not more so than a court, sometimes. And we hope that all the agencies in this community work together, we are going to find local solutions to these local problems and we are going to do our part, Senator, and I am delighted that you are chairing this very important committee.

Thank you.

[The prepared statement of Judge Turner follows:]

PREPARED STATEMENT OF JUDGE KENNETH A. TURNER

There is more concern about the crime problem nowadays, especially violent crimes by juveniles, than ever before in history. And indeed there is greater cause for concern than ever before.

I frequently sum up the problem with three words, "Drugs, guns, and gangs." The staggering increase in crime in this country, including violent crimes against persons, began in the mid 1980s, and coincided with widespread trafficking in crack cocaine and the ready availability of cheap handguns. There was a 63-percent increase in the number of juvenile delinquency cases brought to the Juvenile Court in Memphis during the years 1984–1994, up from 8,728 to 14,189. For the first time in a decade, however, Court records reflect a decrease (7 percent) in the number of such cases, down from 14,189 to 13,230.

Murders, drive-by shootings, and other major crimes of violence by juveniles are largely attributable to drug trafficking. Indiscriminate drug testing (urinalyses) of juvenile offenders ages 14–17 reveal that 30 percent of those tested were using illegal drugs. The only illegal drugs regularly detected are cocaine and marijuana.

A large number of Juvenile Court cases, including dependent and neglected and nonsupport, are due to illegal drug trafficking. An average of one-third of the juveniles committed by the Court to correctional facilities were committed for drug-related offenses.

Drug trafficking, like handgun circulation, is a national problem, but vigorous law enforcement and certain punishment at the community level are effective deterrents. During the calendar year 1995, 829 Shelby County juvenile offenders brought to the attention of the court used handguns in the commission of their crimes. Juvenile Court staff members are cooperating with U.S. Attorney Veronica Coleman in a vigorous effort to trace more of the handguns to their source.

Congress and State Legislatures are currently reacting to the public outcry for something to be done to curtail crime in our society, especially crimes of violence. It is rightly being proclaimed that we must restore an orderly society in which citizens can feel safe in their homes, property, and persons.

In a just-released "Memphis and Shelby County Crime Report," and assessment of the crime problem in Memphis, the authors, noted criminologists, including Marvin E. Wolfgang, Research Director of the National Commission on the Causes and Prevention of Violence had this to say about our Juvenile Court, "In fact, we find the Juvenile Court of Memphis and Shelby County a model for juvenile courts throughout the country. Nevertheless, this court can little affect the delinquency rate in Shelby County."

It has been said that "there are a thousand hacking at the branches of evil to one who is striking at the roots." The roots of the evil of crime in our society are in family disorganization.

The family is the cornerstone of civilization. We have in one generation seen that cornerstone crumble and threaten to topple our society.

The percentage of children born out-of-wedlock in the United States has almost tripled in the past 20 years. The percentage of births to unmarried women is steadily increasing and, according to the Memphis and Shelby County Health Department, 50.1 percent of the births in Shelby County are out-of-wedlock, most of whom will be public charges, and will grow up without a father in the home. For that matter, most marriages now end in divorce. The divorce rate has doubled during the past 30 years, further causing a major breakdown in the traditional American family.

Most juvenile offenders are, of course, products of their environment, and while we have concern for disadvantaged children, we must not feel so sorry for the misguided youthful offender that we forget our concern for his innocent victims.

We must also be mindful that parents have basic responsibility to the community for the proper care, supervision, and financial support of their children. In recognition of the parents' responsibility for support, in 1975 Congress enacted Title IV–D of the Social Security Act, sometimes referred to as the "Federal Child Support Enforcement Act." That law has been most beneficial to children and to taxpayers generally by requiring absent parents to provide financial support to their children, thereby reducing the welfare rolls, and improving the quality of life for mothers and children. At the same time, in conjunction with child support enforcement, hundreds of thousands of children born out-of-wedlock have been legitimated. During my tenure (1964–1995) I have signed orders legitimating 104,736 children who were born out-of-wedlock.

Vicious young criminals (VYCs) should be removed from the juvenile justice system and dealt with in the adult criminal courts, separating them from juveniles who are more amenable to habilitation. Under present Tennessee law, juveniles sixteen (16) or more years of age at the time of their offense or at any age if charged with first degree murder, second degree murder, rape, aggravated rape, aggravated robbery, especially aggravated robbery, kidnapping, or especially aggravated kidnapping or attempting to commit any such offenses may be transferred to criminal court for trial and sentencing as adults. It appears that juvenile courts in Tennessee may not be tough enough, according to Dr. Barry Boggs, a writer and consultant to several youth correctional agencies. He reports that "both the current wave of juvenile crime and the treatment systems that try to cope with it are driven by recidivists, chronic offenders." Twenty-four percent of all juvenile offenders committed to the Tennessee Department of Youth Development during fiscal year 1992–93 had committed seven or more prior delinquent offenses. We must not let our systems be driven by chronic offenders.

It has been proposed that legislation be enacted in Tennessee that would lower the maximum age of juvenile court jurisdiction from 17 to 16. In four states, Connecticut, New York, North Carolina and Vermont, the maximum juvenile court age is 15. In eight states, Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, South Carolina, and Texas, the maximum juvenile court age is 16.

During the 1950s, a "kinder and gentler" era, Tennessee, and most states raised the juvenile court age from 16 to 17. Juveniles nowadays are far more sophisticated and are responsible for more serious crimes. 80 percent of the average of 200 Shelby County juveniles transferred to criminal court annually were 17 years of age. Perhaps it is time to redefine the word "child" as to juvenile offenders to mean a person under the age of seventeen (17).

I was pleased to see Governor Don Sundquist launch a "Community Prevention Initiative for Children" aimed at maximizing Tennessee's utilization of Title V delinquency prevention funds. We must seek and find more local solutions to local problems. If Congress reauthorizes the OJJDP, it is hoped that they will not continue to withhold funds from States and counties that are not fully complying with OJJDP mandates because the funds were withheld. In "Child Protection Report," a news service for professionals working with children and youth, Lew McHardy, Executive Director of the National Council of Juvenile and Family Court Judges, was quoted as saying "There is not a groundswell of enthusiasm to reauthorize OJJDP. We'd like to see a federal presence preserved. Without such a presence, prevention, research, technical assistance and training would go largely down the tube."

According to the aforementioned Crime Report, there are now 50,000 children in Memphis between the ages of 5 and 10; they will be teenagers before too long. They must be reached now, while still young and impressionable. I heartily agree.

The Juvenile Court has for many years fully utilized the services of volunteers and all public and private agencies in the community. We are especially proud of our Auxiliary Probation Service, composed of some 400 volunteers who provide all field supervision of children on probation; the Truancy Prevention Service—more than 100 volunteer "truant officers." Many of them are school teachers. I have long observed that while all truants are not delinquent, all delinquents have a history of truancy. We find this to be a very effective prevention program. Our family case histories reflect that younger siblings of truant and delinquent juveniles eventually emulate them.

In a recent article, author and retired judge, Seymour Gelber wrote, "Schools no longer shy away from the concerns of drugs, teenage pregnancy and family problems; teachers are moving headlong into every social concern of their students.

"What does all this clamor mean? It means the Juvenile Court of the next century will shift to a social service posture focusing on the child's formative years. The public will realize that providing prenatal care, nursery services, and Head Start programs are more effective than lockup. Fighting school dropouts and teenage pregnancy will gain credibility. The reality of a causal relationship between the abused child and subsequent criminal behavior will emerge. Early intervention will be accepted as the answer for both abused and delinquent children."

To cope with the intolerable crime problem in the short-term it appears that we simply must employ more law enforcement officers, and private businesses are finding it increasingly necessary to employ security guards. And all levels of government must provide more jails and penitentiaries. This can, I think, most effectively and economically be accomplished by contracting with private service providers.

> An outstanding local treatment program for delinquents is the Youth Habilitation Center, a program of the Juvenile Court of Memphis and Shelby County that is operated for the Court by the Agency for Youth and Family Development. This center for violent adolescent male offenders is largely funded by the State of Tennessee and the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice, and is an excellent example of cooperation between state, federal, county, and private service providers.
>
> The Youth Habilitation Center (YHC), a 32-bed residential treatment program, provides therapy, family counseling, aftercare, community mentoring and role models. This facility maintains excellent standards and a high level of success. An independent evaluator reported relatively low rates of recidivism (about 10 percent) six months after experiencing the program.
>
> In the long-term we must establish programs and services that will help to prevent child neglect through parent education services, and enforcement of parents responsibilities to their children and to the community.

Senator THOMPSON. Thank you, Judge Turner.

You know, a lot has been said about the crime report and talking about Memphis but, obviously, it is not a problem that is unique to Memphis. That same report, of course, as has been pointed out, the startling statistics that Nashville has, for example. And looking around the State, it is the same thing.

I came across an editorial written by the editor of the Knoxville News Sentinel, Aaron Roscoe, said just a few days ago, entitled "Teenage Crime Spiraling Out of Control." He said,

> Knoxville Police Chief Phil Keith says, "The department's juvenile arrest rate has doubled in the last five years." And Knox County Sheriff Tim Hutchinson added, "The violent juvenile crime has reached out into the county."

Then he says, "Within a 5-week-period, these events made the news." This is in the Knoxville area.

> A 17-year-old girl is charged as an adult in the cold blooded murder, robbery, and slaying of the Pizzaria's assistant manager as he left the establishment for the night deposit. An 18-year-old youth is charged with felony murder in a random bludgeoning death and sexual assault on a 76-year-old woman in her south Knoxville home.
>
> Two 14-year-old boys are charged with the robbing and killing of a young woman in a north Knoxville housing project. Police report the juveniles showed no remorse when taken into custody. Three individual juvenile offenders, two 16-years-old and one 17, were arrested after they robbed a Knoxville family in their home at gunpoint, including two preschoolers who were forced to empty their pockets.
>
> Two youths, one 16, the other 15, were arrested in the robbery of five people and the shooting of two of them in a series of crimes committed during a two hour period.

This is all in a period of 5 weeks in the Knoxville community. So, clearly, we see that this is a broad-based problem and, again, you are to be commended in this community for acknowledging, first of all, the seriousness of the situation and taking the steps that you have.

On a little bit more of a technical vein, Mayor Rout, do you have any opinion as to the most effective Federal role in all of this? In terms of the implementation of the Juvenile Justice Act and the moneys that are available to local communities under that. How best are they structured? What seems to work? What does not seem to work? Do you have any opinion on those things?

Mayor ROUT. Well, very briefly, Mr. Chairman, we would certainly support what we could there that would allow, obviously, those funds to come back to the local level because, as Judge Turner so eloquently stated, we believe that we have got to solve those local problems with local solutions and I think, through that type of legislation, we can do that.

Let me also say that as it relates to Head Start, which has been referenced twice this morning, by Judge Turner and by Mayor Herenton, that I want to concur with that and say that any help we could have there, because we are presently aggressively restructuring and expanding Head Start through Shelby County so that we can serve more individuals.

I think the bottom line is that if we can get more assistance in the way of the Federal dollars to this community, working then to take this information that is here and the resources that we have identified, not only through the crime report but through Judge Turner and others, we can take those resources through the act and we will do a better job of coordinating what we see are a number of activities that need to be improved.

Senator THOMPSON. Mayor Herenton, I might ask you the same question. Do you have any——

Mayor HERENTON. Well, I think Mayor Rout has very succinctly responded in the same manner in which I would respond.

The only thing I could add is the Federal Government, I think, has a role in helping the cities to place more police officers on our streets. And this is not a political kind of statement at all, but I think President Clinton was absolutely correct in terms of the Federal role in helping to make our streets safe. I would encourage, Senator, your support of the Federal role in helping us to place more officers on the streets now.

I think that the greater presence of police officers can help to deter crime and also help us with our apprehension rate, which in the city of Memphis is very, very good. Intervention, you have heard all of us talking about intervention, that is so important. So we would appreciate the Federal role being enhanced and helping us to deliver a broader range of social services that are vitally needed in these urban depressed areas, especially where you have the high poverty rates.

Senator THOMPSON. All right. Well, I will take what you say under serious consideration and perhaps we can talk about that some more later. You learn as you go along.

I have had some problems, frankly, with the concept of our looking toward Washington to determine how many police officers we have on the street. We have kind of gotten in a habit of, I use my hometown of Lawrenceburg, people will get in their cars in Lawrenceburg and drive by the courthouse and the county court and the mayor's office and drive up to Nashville and drive past the State legislature and drive out to the airport and go on the airplane and fly out to Washington to talk to me about how many police officers they want to have in Lawrenceburg.

It has to do with of the effective use of resources and all and there is more than one argument on that. I think that certainly the end result, having more officers on the beat, is what we are looking for and what is most effective and how to get there.

The other question I have, have either of you had enough experience yet with these programs to have any opinion on the whole block grant question? You mentioned the Kassebaum approach. Does the argument for greater flexibility ring true as far as you are concerned with regard to these programs? Mayor Rout, first.

Mayor ROUT. Mr. Chairman, I think it does. I think that, what we could do there, if we had that flexibility that you just spoke of, we can do some things that we started when my administration took over. We got involved. We are working closely with the juvenile court and truancy sweeps is just one example because Judge Turner has convinced us that the people that are in juvenile courts for the first time will be the same people that, if we are not careful, we are going to see at the Criminal Justice Center, which is our jail, and ultimately at the Shelby County Correction Center.

The point there is that we have to carve out those scarce resources for us to create an innovative approach, such as the truancy sweep. We are working with the Memphis Police Department and the Shelby County Sheriff's Department and the juvenile court system. We go into the neighborhood, physically, at 10 o'clock in the morning, 9:30. Go through, see young people loitering, young people behind stores or whatever. And the bottom line to that as it relates to what you said is, that if we could have that flexibility of the resources to help us pilot those, implement those. We think that is getting at the very grassroots. And it not only gets to the grassroots of the truancy issue and, as Judge Turner has convinced me, that is the first stepping stone many times on the road to destruction of a lot of them.

But we can go a step further and we can include this in that flexibility. We go a step further where we, in fact, get into an assessment of the family from which that student came from and we are finding many things out that are extremely important as it relates to the family structure.

We many times have a single parent situation. They want help. They need help. They are on public assistance. So we could serve a dual role of not only having the flexibility but, hopefully, getting someone off of public assistance by the assessment we do. The question if we can help you get your GED, will you, in fact, go on a job interview if we set that up and ultimately that takes place, we then might see someone, in fact, get off of assistance, get into a productive area where they want to be, in their heart, where they want to be. And at the same time, be solving a part problem of the truancy and juvenile delinquency issue.

That flexibility you mentioned is extremely important to us on a local level because we have the ideas but we have a scarcity, as you well know, of resources.

Senator THOMPSON. And some communities need police officers worse than others, vis-a-vis, some other law enforcement capability, I suppose.

Mayor.

Mayor HERENTON. Senator, let me just respond to one observation you made in terms of the Federal role and the State responsibility.

Let me remind you, respectfully, that where you sit, sir, you have direct control over the allocation and use of the greatest tax that we have in our system, and that is the Federal income tax. So a city with all of its urban challenges and municipal overburden, must continue to look to the Federal Government.

While I appreciate flexibility, I see some merits in block grants but I also see some troubling aspects to block grants. For example, I know in Tennessee and most of the States I am familiar with that the State legislatures are controlled by the rural interests.

I am concerned that if you went to the State of Michigan, the city of Detroit is the largest city in that State. If you were in Pennsylvania, Philadelphia; Trinity in the State of New York. What concerns me about block grants is that one could conceivably have a Governor or a general assembly that may be of one political persuasion directed toward rural interests and abandon the areas that have the acute problems. So that concerns me. So I would say that that is still that strong Federal role and resources but with some State and local flexibility.

Senator THOMPSON. All right. I hear what you are saying on that. And I would agree that your tax base is rather limited. What I would like to see is a lowering of the Federal take and the giving on the State and local level of more of the sources of revenue so that you raise the money and keep the money here in the community and not have to send it off and get back 50 cents on the dollar. You both go for that? If I could arrange that, we would all be happy.

Mayor ROUT. That is something we agree on.

Senator THOMPSON. But that is not an easy proposition. The jail situation. The report indicated, I believe, that as far as the county is concerned, anyway, you do not have the problem of overcrowding?

Mayor ROUT. Yes, sir. Mr. Chairman, if I might——

Senator THOMPSON. Yeah. I thought I would get a rise out of him. Did I mischaracterize that report?

Mayor ROUT. Well, certainly, Mr. Chairman, I would never accuse you of mischaracterizing anything. But I think that one might want to take it up for bedtime reading one more time.

What we have, Mr. Chairman, is this. We have a jail that was built and opened in 1982 when the old city jail was closed and the old county jail was closed. And we combined that under one facility that is operated through the county under, actually, the jurisdiction of the sheriff.

It was built for 1,200 inmates maximum which would be enough to take us, we were told, to the year 2000. At that time we opened, we probably had 700 or 800 or whatever.

We now have close to 2,550, possibility 2,600 inmates in a jail that was built to handle 1,200. So what we have is, we have over twice as many.

And that is a strong issue with us. We see a lot of these people are being people that we have a history with or repeat offenders. And, of course, Mr. Chairman, we also have a situation where the Correction Center has now got roughly that same number, but overcrowding in our local jail is a very significant issue and let me add, Senator, that we are going to have to be looking, apparently, very shortly, as General Pierotti knows and others who sit on the overcrowding committee with the sheriff and my representative on there, to expansion of that jail.

Unfortunately, that's one of the reasons that we are quite concerned about revenues and also intervention programs. So, yes, we do have an overcrowding problem significant in this community.

Senator THOMPSON. In the Shelby County Jail?

Mayor ROUT. Yes, sir.

Senator THOMPSON. I am reading from the report here. "Contrary to our findings in the Memphis crime report of 1987, the Shelby County Jail is not overcrowded in the strict sense of the term. Overcrowded conditions did exist up until 1992, but this facility was converted from a single cell to double cell housing and the jail currently holds just over 2,400 prisoners but has an inmate capacity rated at 7,292."

Mayor ROUT. Well, sir, I would respectfully——

Senator THOMPSON. Two thousand seven hundred and two.

Mayor ROUT. OK. That's closer.

Senator THOMPSON. I am sorry.

Mayor ROUT. You had me really alarmed when you said 7,000.

But, Senator, let me say this. What we have done, we have taken a situation that was built to house 1,200 and we have double and triple bunked, which is not ideal and we have the ability to go to higher than 2,500 or 2,600.

Now, we are told, Senator, that when you get within 85 percent of capacity, which we have reached at times, and General Pierotti can address this specifically, 90 to 92 percent of capacity. At 85, you are told to be into a riot potential. And we have been beyond that and, in fact, now, if you take that number and took 85 percent of it, we are very close to that right now.

Also, what it has done, it has increased the capacity by double and triple bunking but it has increased also the tension within the jail. And all one has to do is go over and go through there to see the tremendous tension and problems that we have over there. So, yes, sir. We do have an overcrowding problem.

Senator THOMPSON. So this, you would not agree with that characterization about the——

Mayor ROUT. I would absolutely respectfully disagree, yes, sir.

Senator THOMPSON. All right.

Mr. Todd, in listening to your testimony, obviously you are doing a lot of things to cope with a serious problem you have got. It is kind of a sad state of affairs when so much of your activity has to do with metal detectors and police officers and protecting people. Have you been at it long enough with these programs to have any opinion yet as to what is working to either deter these young people or to act with some restraint on them?

Mr. TODD. We have somewhat of an idea. We have not been in it long enough in the strict sense that we are in now but we have an idea.

The alternative program that we do. That is just not a school we put people over there, have bars around, lock them up 8 hours a day. We have counselors. We have recommended social workers come in and examine, as Mayor Rout said a minute ago, examine the problem why they are there. Why they are there. What is causing them to be there. And then we work from that to try to get them back into mainstream.

In our school system, I would venture to say that, probably, 8 to 10 percent of the youngsters are causing the problems for the rest. And once you—the idea of the alternative program is to put those out together, let them clean up their act, so to speak, and—but with these measures, it is not just putting them out there and leaving them. It is trying to get them back into the mainstream. Make them productive citizens.

So, that's been a—we have some degree, as we said the last—the guns, weapons. We have had the least degree of weapons that has turned up now than there was 2 years ago. So that, in a sense, is working.

And we are very positive that it is going to work and it is going to be a tremendous help to our society.

Senator THOMPSON. Mr. Todd, in your opinion, do you have adequate authority to discipline the people that you need to discipline?

Mr. TODD. Well, that goes to the degree of how you discipline and—you know, I am from the old school of discipline, as you were, in school and you do not have that any more. But we—that is somewhat the problem. Discipline is not a very feared thing by youngsters because, "What can you do to me? Put me out? Transfer me to another school? Move me around? I can do the same thing in the other places."

So that is why we have tried to curtail the school to school. If you get in trouble with this school, we will move you to this school. And then they do the same thing there. So the alternative school is kind of to gap that. We hope and we feel very strongly that it is going to be a strong, positive thing we are doing.

Senator THOMPSON. How long has your zero tolerance program been in place?

Mr. TODD. Two years.

Senator THOMPSON. Two years?

Mr. TODD. Two years. Well, it is in the second year now.

Senator THOMPSON. Second year?

Judge Turner, you mentioned drugs, guns, and gangs. One of the things that I got from the report that I thought was most startling is apparently, with regard of the young people you deal with, the increasing use of cocaine as the drug of choice. Eighty percent or something, last year. Going from marijuana to cocaine. Is that report with your experience?

Judge Turner. Marijuana is the drug that we see most often. Twenty-five or thirty percent. Oh, it may be about—the last check we did, it was running about 6 percent into cocaine.

Senator THOMPSON. Is that right? I think the reports indicate generally a little bit more than that. Do you feel like we can ever get a handle on the youth violence problem without getting a handle on the drug problem?

Judge TURNER. No. I think they are connected. I think drugs—you know, the family disorganization, the drugs and gangs and all of these problems that we have identified have to be addressed. I do not think it is just drugs but drugs is a factor with the majority.

Senator THOMPSON. It is going back up after a period of leveling off for a few years there. Drug usage, apparently, among teenagers is going right back up, along with the rates of juvenile violence.

Judge TURNER. Things seem to be cyclical. We have had, back around 1970 we had a really bad problem of drugs of a different type. Not cocaine and marijuana so much, but pills. But it soon passed. Maybe this, too, shall pass.

Meanwhile, I think at the Federal and local and State level, we need to do all we can to vigorously enforce our laws. It is beyond me why this country cannot guard its borders a little better and keep these drugs out.

Senator THOMPSON. We are not doing a very good job of that, at all. And you mentioned, of course, the gun problem and detecting the source and all of that. Do you have any ideas as to what could be done about that? To keep these handguns out of the hands of these juveniles without breaching otherwise law-abiding citizens' constitutional rights. Do you have any views on that? You get the results of this on a daily basis.

Judge TURNER. Well, I have long been concerned that the law enforcement agencies have not been able to trace these guns to their source. They tell you they got the gun from somebody on a street corner and that sort of thing. I am sure General Pierotti could answer that question better that I could. I think that they both could be sold and traded on the street corners as far as we could tell.

Senator THOMPSON. Well, I have got the opportunity, as you know, of visiting some of your facilities here. I would like for you to tell us, how effective do you feel are the training center and the habilitation center? Do you feel like we are really making progress by going in that direction as far as these kids of various levels, let us say, intermediate level and then graduated level of seriousness that you are dealing with in these centers?

Judge TURNER. Well, one of the biggest things there is we are keeping these kids at home rather than sending them off to State institutions at some distance.

Senator THOMPSON. Do you feel like if you ever have to send one off, then you have pretty well lost?

Judge TURNER. Well, as a matter of fact, I have to agree with that summation. That we can do a better job with them here—if we had the resources here, we would set up and deal with them here. And we do not want to send away these worst——

Senator THOMPSON. I believe some Juvenile Justice Act funds go to fund part of that, along with some State funds, is that not correct?

Judge TURNER. The superintendents of the State training schools for juvenile offenders tell me that the meanest kids they get are from Shelby County and I am really glad to hear that because I think I would hate to think we are sending any good ones up there.

But we do keep most of them here at home. We will have about, maybe out of 1,200 kids removed from the custody of their parents and put into a program or a facility here in the community, only about 100, about that number, goes to the State facility. The State would have to build several more facilities if did not do what we do here in Shelby County. And we are doing it with State assistance.

Senator THOMPSON. But do you feel like that something good is happening? You are keeping them here but while you are keeping them here, I think if I remember correctly, that you feel like you are doing something good with them while they are here.

Judge TURNER. Indeed I do. And I am glad to see the people with the Shelby Training Center here, James Ball is the administrator of that facility, a privately operated facility under contract with the court, and we just think he is doing a tremendous job out there.

We have, what—200, a little over 200 children out there now that otherwise we would send away to Nashville or Pikeville.

And yes, sir, they are doing the job. They are doing a tremendous job. We do not keep some of these kids as long as we would like to because of the space problem. We have to let some of them out to bring others in. We do still need more resources.

And then we are very proud, too, of the Youth Habilitation Center. Some people look puzzled when you say "habilitation." "You mean rehabilitation." No, rehabilitation is the misnomer with these kids. These kids never were habilitated in the first place. So we say this is the Youth Habilitation Center. And they are doing a remarkable job.

And both of these programs that I just mentioned are doing a very good job in keeping their return rate down, too. The Youth Habilitation Center has only been in operation now a little over a year but at the present time, it seems like the number of returnees or repeaters is down in the neighborhood of just 10 percent.

Senator THOMPSON. Well, they are not going to have to testify now. You have done that for them. They are on the program.

Finally, Judge Turner, the court system, of course, takes a lot of criticism and over the years——

Judge TURNER. I have not heard any, Senator.

Senator THOMPSON. Unlike the people in my job.

Over the years, people have criticized the juvenile courts for being a revolving door and not dealing with the problem till it gets too bad. What are your views of that? Do you have, as far as State law is concerned, I think our State law probably still is designed in a time when it is really somewhat outdated, perhaps.

Judge TURNER. A kinder and gentler view.

Senator THOMPSON. A kinder and gentler nation perhaps. Do you have the tools necessary for you to effectively do your job and what you think you need to do in terms of State law is concerned, in terms of resources and do you think the criticism of how we have, perhaps, treated juveniles in the past in terms of the revolving door and so forth is in any way justified?

Judge TURNER. Well, not any more so than the adult system. I do not think that either of them have done a perfect job. I think that the juvenile court by and large is depending on the staffing from the judge on down. What kind of people are they? How do they think? Where did they get their philosophy and competence?

And, now, one of the problems has been, in Tennessee and probably some other States, fragmented services and there would be maybe a number of State agencies that the court has to look to to provide the services it needs.

And in Tennessee, we are on the verge of remedying that and are in the process of doing so, Tennessee, Governor Sunquist by executive order, brought most of the children services under one umbrella and there is a bill pending in the legislature now which will bring services that were formerly provided by six different State departments to children, children with problems and problem children. Bringing all these together.

Senator THOMPSON. I think on a local level, Mayor Herenton is looking at that situation right now, coordinating the efforts of the various agencies and so forth.

Mayor HERENTON. That is correct.

Senator THOMPSON. I thought I recalled correctly.

A State law?

Judge TURNER. Well, we have a bill pending that will create the Tennessee Department of Children's Services and bring all of these services under one administrative umbrella. The commissioner of Children's Services will take over a lot of the work that has been done in the past by the commissioner of Human Services and the Department of Youth Development is to be abolished altogether and brought under this Department of Children's Services.

Senator THOMPSON. So they created all these departments and agencies and then every once in a while we put them all together. And then a little while later, we take them apart again.

Judge TURNER. Yeah. Specialize.

Senator THOMPSON. So, hopefully, with all that we will make some more progress this time in coordination than we have in times past.

Judge TURNER. Well, you have got to have proper organization to deliver services and that is what we hope to be accomplishing.

Senator THOMPSON. Well, you gentlemen are the leaders in this community and you are certainly making valued efforts with the terrible problem we have and the community is fortunate to have all of you and I appreciate your being with us here today.

PANEL CONSISTING OF JAMES BALL, FACILITY ADMINISTRATOR, SHELBY COUNTY TRAINING CENTER, MEMPHIS, TN; VERONICA COLEMAN, U.S. ATTORNEY, MEMPHIS, TN; JOHN W. PIEROTTI, DISTRICT ATTORNEY GENERAL, MEMPHIS, TN; AND ROBERT WOOD, CONSULTANT, AGENCY FOR YOUTH AND FAMILY DEVELOPMENT, MEMPHIS, TN

STATEMENT OF JAMES BALL

Mr. BALL. Mr. Chairman, my name is James Ball and I am the facility administrator for Corrections Corporation of America's Memphis-based programs, Tall Trees and Shelby Training Center. These programs are under principle contract to the juvenile court of Memphis and Shelby County, TN. The uniqueness of these programs does not rest with the fact that they are managed by a private corrections company, but that they represent community-based alternatives of a very innovative court.

Judge Kenneth Turner, who has recently testified, was initially elected to the juvenile court bench in 1963, has endeavored to provide a wide range of services to troubled youth of the Metropolitan Memphis area using a network of public and private service providers. His crowning achievement was the establishment of a juvenile correctional service within his jurisdiction in 1983, the Youth Services Bureau, thus eliminating the need to send the bulk of committed juveniles to State-operated facilities.

Youth may be placed in any one of a number of programs operated by and for the court. Providing these services in the community permits the families of these youth to be more involved in their treatment and eventual return to the community.

In 1984, CCA signed a contract with the juvenile court of Memphis and Shelby County to manage a community residential program for male juvenile delinquents. The concept of the Tall Trees Program is to provide a structured environment whereby young males attend public school in the day and return to the facility for counseling in the evenings.

Tall Trees houses 63 residents which enables families to maintain contact with their children through professional programs, while providing an overall continuity in the community.

These juveniles referred to Tall Trees tend to be property offenders, burglars, shoplifters, car thieves, with limited previous contact with the court. Crimes against persons in the Tall Trees Program is approximately 15 to 20 percent.

The Shelby Training Center, which opened in 1986, is the most secure local alternative available for court dispositions. The 200-bed facility has a full service accredited school, counseling, medical support, and community contract services, all the while providing for public safety. The profile of these young people differs greatly from the Tall Trees population. The juveniles in the secure program have averaged six to seven previous contacts, with as many as four previous convictions; 65 to 70 percent of the residents at Shelby Training Center have committed crimes against persons, such as murder, assault, rape, aggravated robbery, and an assortment of weapons charges.

These programs are only 2 of nearly 17 programs that the juvenile court administers directly or manages under contract.

In the 12 years that CCA has been working with Shelby County, an estimated 6,000 young men have passed through the facilities. Though their backgrounds have varied, more often than not, the common thread appears in the lives of these young people. The absence of supervision is an overwhelming indication that allowed these young people to pursue their criminal acts.

Many of the residents are from the inner city, in areas that law enforcement officials commonly refer to as high crime areas. The majority of these young people will not get in further trouble after their first brush with the criminal justice center, but the remaining 30 to 40 percent will be repeat offenders and will go on to commit additional violent acts.

What is common and very disturbing in the lives of these young people is that they are intimately familiar with violence. Most of these youths have witnessed violent death or have lost a friend or loved one to violence. This familiarity provides an insensitivity to violence and a callous disregard for the value of human life.

This is some of the facts about today's juveniles. Gang behavior has replaced the traditional role of the family member for support and nurturing. The first generation of crack babies has displayed chemical imbalance and neurological imbalances that manifest themselves in behavior that is both unpredictable and extremely violent.

A growing and disturbing number of sexual offenders has surfaced. Regrettably, these juvenile sexual offenders tend to victimize younger siblings, friends of younger siblings, and younger relatives.

Fifteen percent of the population of the correctional programs are of teen parents. Unfortunately, these stats only involve those who have admitted to fathering children.

Another alarming fact is that of this population, 70 percent of all high school freshmen will not stay in school. Less than 70 percent of high school freshmen will stay in school and graduate.

The current family crisis must cause us to return to teaching values and clarifying the roles of children in our society. The children that we see will return to some semblance of a home and it rests upon us, while we have them as a captive audience, to instill skills that will enable them to make better choices upon release. They, in most cases, will return to environments that have not changed and may even resent them.

Finally, summarizing, it is essential that governments find needed funds to support prevention programs. Successful prevention programs deter future acts of delinquency.

We as citizens, and you as stewards of the public coffers, should demand coordinated efforts for results from practitioners. This demand for results need not come at the expense of programs for children in this age of downsizing and close government scrutiny. The escalating pattern of violent acts committed by younger and younger people will continue unless intervention efforts are sharply focused on family reunification and the reestablishment of family values.

Early intervention and prevention programs are both far less costly than incarceration and while emphasizing the importance of family involvement.

Thank you, Senator.

[The prepared statement of Mr. Ball follows:]

PREPARED STATEMENT OF JAMES BALL

Mr. Chairman, my name is James Ball and I am the facility administrator for Corrections Corporation of America's Memphis-based programs, Tall Trees and Shelby Training Center. These programs are under principle contract to the Juvenile Court of Memphis and Shelby County, Tennessee. The uniqueness of these programs does not rest with the fact that they are managed by a private corrections company, but that they represent community-based alternatives of a very innovative court. Judge Kenneth A. Turner, who was initially elected to the Juvenile Court bench in 1963, has endeavored to provide a wide range of services to troubled youth of the Metropolitan Memphis area using a network of public and private service providers. His crowning achievement was the establishment of a juvenile correctional service within his jurisdiction, thus, eliminating the need to send committed juveniles to state operated secure training schools. The Youth Services Bureau was established within the administrative structure of the Juvenile Court in 1983. The mission of the bureau is to divert youth away from the Tennessee Department of Youth Development by developing, managing and supervising community-based programs. All youth referred to the Youth Services Bureau are placed in temporary custody of the administrator subject to further orders of the Court. Youth may be placed in any one of a number of programs operated by or for the Court. Two of those programs, Shelby Training Center and Tall Trees, are operated for the Court through contractual arrangements with the Tennessee Department of Youth Development and Corrections Corporation of America. Providing these services in the community permits the families of these youth to be more involved in their treatment and eventual return to the community.

In 1984, CCA signed a contract with Shelby County through its agent the Juvenile Court, to manage a community residential program for male juvenile delinquents on the site of the then closed Tall Trees Youth Guidance School. The concept of this type of program was to provide a structured environment whereby young males would attend public school in the day and return to the facility for counseling in the evenings. This concept enables families to maintain contact with their children while allowing professionals access to the family and providing an overall continuity with the community.

The Shelby Training Center, which opened in 1986, is a secure treatment facility which is also the most secure local alternative available for court dispositions. The facility has a full service accredited school, counseling, medical support, and community contract services all the while providing for public safety. The profile of these young people differs greatly from the Tall Trees population. Those juveniles referred to Tall Trees tend to be property offenders with limited previous contacts with the court. However, the juveniles in the secure program have averaged 6 to 7 previous contacts with the court with as many as 4 previous convictions. Sixty-five to seventy percent of the residents at STC have committed crimes against persons, such as assault, rape, aggravated robbery and an assortment of weapons charges. Whereas the percentage of crimes against persons in the Tall Trees program is 15% to 20%, the vast majority of those residents are charged with burglary, shoplifting and car theft. Both programs provide the court the opportunity of rendering creative dispositions while still providing for public safety. Built with 150 individual rooms in 1986, the Shelby Training Center has been expanded to 200 beds, with additions in 1990 and 1995. The Tall Trees facility was initially opened with 33 beds but was renovated to currently accommodate 63 residents. However, only 42 of the residents are placed by the Juvenile Court of Memphis and Shelby County. Since 1991, the Tennessee Department of Youth Development has contracted for the remaining 21 bed spaces. These programs are only 2 of nearly 17 programs that the Juvenile Court administers directly or manages under contract.

In the ensuing 12 years that CCA has been working with Shelby County, an estimated 6,000 young men have passed through the facilities. Though their backgrounds have varied, more often than not a common thread appears in the lives of these young people. The absence of supervision is an overwhelming indication that allowed these youngsters to pursue their criminal acts. That is not to say that all those young people were from single parent families. Although many were, well over 31% of the residents currently in the population are from 2 parent households. Again many of the residents are from the inner city, in areas that law enforcement officials commonly refer to as high crime areas, while others hail from Bartlett, Oakdale, Germantown and Collierville. The majority of these young people will not get in further trouble after their first brush with the criminal justice system and may go on to lead quiet productive lives . . . raising children, pay taxes, watching C-Span to see what the latest Senate subcommittee is up to. But the remaining 30% to 40% will be repeat offenders and will go on to commit additional violent acts. What is common, albeit very disturbing, in the lives of these young people is that they are intimately familiar with violence, even violent death. Most of these youths have witnessed violent deaths or have lost a friend or loved one to violence. This familiarity provides an insensitivity to violence and a callous disregard for the value of human life.

Gang behavior has replaced the traditional role of family members for support and nurturing. The first generation of "crack babies" are displaying chemical and neurological imbalances which manifest themselves in behavior that is both unpredictable and violent. All have been grave causes of despair among practicing professionals. We have continued to find ourselves in a reactionary mode and have been unable to gain any measures . . . to provide for advancement. We have responded to the changing needs of our population since 1984, focusing on evolving areas of the greatest needs. A growing and disturbing number of sexual offenders surfaced. Utilizing community mental health resources, programs were targeted to sex offenders through groups and individual psychotherapy. This is most difficult whether it involves juveniles or adults due to the high probability of repeated offenses. A disturbing pattern doesn't change drastically just because the perpetrator is under the age of 18 years. The after-supervision programs have attempted to keep the perpetrator in therapy while providing for the victim's safety. Although regrettably, the juvenile offenders tend to victimize younger siblings, friends of younger siblings, and younger relatives.

Fifteen percent of the population of the correctional programs have teen parents; unfortunately, these stats only involve those boys who have admitted fathering children. Services have been provided to this population by the Planned Parenthood agency through targeting responsibilities of being a father coupled with reproductive education. As has been recently reported in the local media, this population has been largely ignored with greater efforts and resources being made available to teen mothers. The re-establishment of strong family values and accepting responsibility for one's own actions must be a repeated drill for this population. The current family crisis must cause us to return to teaching values and clarifying the roles of children in our society. The children we see will return to some semblance of a home and it rests upon us, while we have them as a captive audience, to instill skills that will enable them to make better choices upon release. They in most cases will return to environments that had not changed and may even resent them.

Another alarming fact is that less than 70% of all high school freshman will stay in school to graduate. It is obviously necessary that we need to stem this tide and provide for the direction and supervision that families traditionally had offered, which now appears to be absent. It is essential that governments find needed funds to support prevention programs. However, in this age it is extremely difficult to sell this as a concept because there can be no tangible means to support these efforts. Successful prevention programs deter future actions of delinquency. Early intervention provides for the opportunity for children to be deferred from criminal acts. Coordinated efforts need to be provided especially during this age of downsizing and close government scrutiny.

We as citizens, and you as stewards of the public coffers, should demand results from the efforts of practitioners. This demand for results need not come at the expense of programs for children. Training programs that develop usable skills are investments in the future and cannot be easily ignored. This current level of criminal behavior from young people has caught practitioners totally unprepared. The violence perpetuated by younger and younger citizens leaves professionals without a clue.

If I may summarize, community based strategies have proven to be the most effective in combating maladaptive behavior of juveniles offenders. The escalating pattern of violent acts committed by younger and younger people will continue unless intervention efforts are sharply focused on family reunification and the reestablishment of family values. Early intervention and prevention programs are both far less costly than incarceration and underscore the importance of family involvement.

Thank you.

Senator THOMPSON. Thank you very much, Mr. Ball.

Ms. Coleman, glad to have you with us.

STATEMENT OF VERONICA F. COLEMAN

Ms. COLEMAN. I am delighted to be here, Senator, and I would like to take the opportunity to introduce you to the members of the law enforcement community who are in attendance.

Senator THOMPSON. I would be delighted for you to.

Ms. COLEMAN. Thank you very much.

I ask first of all the Violent Crimes Task Force of the U.S. attorney's office, if you would please stand. I know most of you are here. Make your presence known. ATF, the sheriff's department, the police department.

We also have with us some people from around the 22 counties. Not all 22 are represented here. We have Sheriff Eric Dale. We have Lt. Jerry Campbell from the Jackson Police Department. If you all would stand as I call your names. Mr. Adell, why are you not up here with the task force? We have Chief Bob Williamson from Dyersburg, the chief of the Dyersburg Police Department. Stan Calvin, the captain of the Dyersburg Police Department.

Joe Garner, chief of Union City Police Department, who brought with him, I think, Dan Johnson. There they are in the back. Dennis King from Ripley. Chief King, did you bring somebody with you? Two officers from Ripley? Thank you very much.

We have here the special agent in charge of the Federal Bureau of Investigation, John Hancock. We have the outgoing agent in charge, Carl Simpio, from ATF and his replacement, Jim Allison with ATF.

Have I left any of you—let's see. You are from Boliver? Nice to see you. Anyone else that I have missed?

Senator THOMPSON. I think everybody in this room will feel pretty safe today.

Ms. COLEMAN. I am sure they would all like to have the chance to testify but, hopefully, what I have included in the record will be sufficient from some of these departments but they are interested in what——

Senator THOMPSON. We appreciate your having them here. They are the ones on the frontline, doing the hard work for the rest of us. And we sincerely appreciate it.

Ms. COLEMAN. And they are very much interested in this subject, Senator, so if I may begin to thank you for inviting me to participate in today's hearings on juvenile violence.

I am pleased to see this committee's interest in a subject that knows no political boundaries and is of concern to every citizen in this community.

You are to be commended, Senator, for your vision in bringing the hearing process outside of the Washington Beltway to the people of the State.

Let me begin by saying that the Department of Justice statistics reveal that since 1985, the prison population of this country has tripled. It has grown from 500,000 in 1985 to almost 1.5 million in 1993. Regardless of what theory you espouse as the cause of this increase, I hope we can all agree that this is an economic, budget-busting disaster. Crime statistics show an overall decline in adult crime but a rise in juvenile crime, especially violent crime.

Since 1990, there has been almost a 20-percent increase in the numbers of juveniles arrested for violent offenses in Shelby County alone.

The Justice Department reports that homicide victimization rate for juveniles ages 14 through 17 has nearly doubled since the mid-1980's. And more than half of the juvenile homicide victims are killed by firearms.

I believe that the criminal knows that it is not possible to lock them all up forever. This allows them to terrorize neighborhoods with impunity.

To compound this problem, there is a growing disrespect for law enforcement, with high profile media attention paid to the few in law enforcement who tarnish the image of so many dedicated men and women who are protecting and serving the communities that they live in.

As U.S. attorney, I have a unique opportunity to address policing, prosecution, punishment, and prevention. My office is involved in initiatives that include the hard work of local, State, and Federal peace officers, both in protecting and serving their community. And I want to tell you about them here.

First, our office received a Justice Department grant to coordinate a task force that not only focuses on armed career criminal adults, but also focuses on getting guns out of the hands of juveniles.

With regards to juveniles, the goals of this task force are: First, to discover how so many children are obtaining guns. Second, to determine what patterns may exist so that policies and programs can be formulated for prevention in the future. And third, to develop prosecutable cases against adults who illegally put guns in the hands of children.

The members of the task force are the Bureau of Alcohol, Tobacco and Firearms, Shelby County Sheriff's Department, Memphis Police Department, FBI, and juvenile court. One of the unique aspects of this project is the ability to focus on the source of the weapons. By doing so, we may be able to provide valuable insights to the community leaders searching for solutions.

This task force has interviewed 308 juveniles arrested for firearms in the period of June 1995, through December 1995, and 209 weapons have been submitted to ATF for tracing.

A number of sources of illegal firearms for juveniles are being identified and actively investigated. The primary goal is to interdict and prosecute any persons, business, or group illegally supplying firearms to juveniles and the work of this task force has produced one of the first cases in the country charging an individual under the Youth Handgun Safety Act, which makes it a felony for an adult to transfer a handgun to a juvenile knowing that the gun will be used in a violent crime.

To date, this task force has done an incredible amount of work and we are seeking additional investigative help, hint, hint, from the police agencies to follow up leads and interviews.

Second, I would like to discuss the Weed and Seed Program. Weed and seed is an initiative started in the Bush administration and continued in the Clinton administration.

The weed-and-seed concept involves weeding, which is law enforcement's responsibility; that is, getting the criminal off the streets and out of the community. The seeding is the community's responsibility by putting in place programs and initiatives that will ensure that the criminals do not come back. Weed and seed is policing and prevention at its best.

I am proud to say that the first rural city to be officially recognized in the United States as a weed-and-seed site is the city of Dyersburg here in the western district of Tennessee. Their story has been chronicled in many arenas and I attach to my remarks a sample of what has been written about their efforts. I hope that they are going to testify tomorrow in Nashville.

The partnership between police and the community cannot be overemphasized but it cannot be effective if there are not enough police officers on the street and I must say a brief word for the Cops Program.

To date, 45 law enforcement agencies in the western district of Tennessee have received officers. While it is important to focus resources on the largest problems which are generally found in the larger, metropolitan areas, the plight of rural communities should not be ignored.

Our greatest crime prevention opportunities can be found in the rural areas. These are areas that are on the verge of becoming hostage to drug dealers and the violence that follows them. While task forces play an important role and are deserving of the funding they receive, they are no substitute for the security of the cop of the beat or a cop in the school who can reach our children at a young age.

They are programs such as DARE. Union City has a community policing program that has had a great deal of success in public housing. I understand that the Alcohol, Tobacco and Firearms and Memphis Police Department has a gang resistance program and the Memphis city schools has received some congressional grants.

I urge you to take care a careful look at the benefits of all of these programs.

Next, I want to bring to your attention the Memphis city schools Adopt-a-School Program. Our office officially adopted Cypress Junior High in 1995. It is our hope that the time we spend with the students at Cypress Junior High will not only encourage them to finish school and lead a healthy lifestyle, but also inspire them to consider law enforcement as an honorable and important profession. I am proud of my staff, which is also here today, of taking on this project. Role modeling and mentoring are among the most successful crime prevention techniques.

Lastly, I would like to mention Operation Safe Home. Operation Safe Home is a housing and urban development initiative that was joined by the Secretary of the Treasury and the Attorney General. The purpose of this initiative is to rid drugs, corruption, and violent crime from public housing developments.

The elderly and children are easy prey to criminals in public housing and the HUD, the Office of Inspector General, the FBI, local law enforcement, the Shelby County D.A.'s office, John Pierotti's office, have made a commitment to focus attention to this problem and this office has recently brought formal charges against 14 individuals on drug-related and public corruption charges.

In conclusion, I would leave you with this final thought. My years in law enforcement as a public defender, prosecutor, juvenile court referee and now, as U.S. attorney, have taught me that policing and punishment are the building blocks to an effective criminal justice system. However, convictions alone will not solve and are not solving the crime problem in our communities.

I strongly believe that any law enforcement strategy that addresses juvenile or adult violence must include prevention as an integral part of solving the problem. I would encourage this committee to carefully examine those programs and initiatives that provide opportunities for prevention, as well as policing and punishment.

Again, than you very much for the opportunity to testify.

[The prepared statement of Ms. Coleman follows:]

Prepared Statement of Veronica F. Coleman

Thank you for inviting me to participate in today's hearings on juvenile violence.

I am pleased to see this committee's interest in a subject that knows no political boundaries and is of concern to every citizen in this community.

You are to be commended, Senator Thompson, for your vision in bringing the hearing process outside of the Washington Beltway and to the people of your State.

I would like to preface my remarks by providing examples of how my office is responding to issues of youth violence, and by briefly stating my view of the problem.

Department of Justice statistics reveal that since 1985, the prison population of this country has tripled. It has grown from 500,000 in 1985 to almost 1.5 million in 1993. Regardless of what theory you espouse as the cause of this increase, I hope we can all agree that this is an economic, budget-busting disaster.

Although crime statistics show a decline in overall crime, there is a rise in juvenile crime, especially violent crime.

For instance, Shelby County Juvenile Court statistics show a steady increase in the number of juveniles charged with the commission of violent offenses. Since 1990, there has been almost a 20-percent increase in the numbers of juveniles arrested for violent offenses.

Also, the Department of Justice reports that the homicide victimization rate for juveniles age 14 to 17 has nearly doubled since the mid-1980's. In 1985, 64 percent of juvenile homicide victims were males; in 1991 the proportion has increased to 72 percent. More than half of juvenile homicide victims are killed by firearms.

It is in our national interest to stop this growing criminal population because even the criminals, juvenile and adult, are aware that it is not possible to lock them all up forever. They also seem to believe that there is no community will to stop them from their carnage. Thugs and drug dealers are allowed to terrorize neighborhoods with impunity, and we hear about new bold attacks everyday involving teenagers with guns.

To compound the problem, there is a growing disrespect for law enforcement, with high profile media attention paid to the few in law enforcement who tarnish the image of so many dedicated men and women who are protecting and serving the communities they live in.

The initiative that our office is involved in include the hard work of local, State, and Federal peace officers both in protecting and serving their community, and I want to tell you about them here.

As a prosecutor and as the U.S. attorney for the western district of Tennessee, I have a unique opportunity to address policing, prosecution, punishment, and prevention. I can prosecute the baddest of the bad and also weigh in on prevention efforts that are in the best interest of law enforcement and the entire community.

There are five such initiatives that the U.S. attorney's office for the western district of Tennessee is involved in that I would like to bring to this committee's attention today.

First, the violent crimes task force.

Second, the Weed and Seed Initiative.

Third, the COPS Program.

Fourth, the Adopt-A-School Program.

Fifth, if time allows—Operation Safe Home—A public housing initiative cosponsored by HUD, Treasury, and Justice.

First, our office received a Justice Department grant to coordinate a task force that not only focuses on armed career criminal adults, but also focuses on getting guns out of the hands of juveniles. The task force became fully staffed in May 1995, and three of the seven officers assigned to the task force work exclusively to investigate firearms possession by juveniles.

With regards to juveniles the goals of this task force are: (1) To discover how so many children are obtaining guns; (2) to determine what patterns may exist so that policies and programs can be formulated for prevention in the future; and (3) to develop prosecutable cases against adults who illegally put guns in the hands of children.

The members of the task force are the Bureau of Alcohol, Tobacco and Firearms, Shelby County Sheriff's Department, Memphis Police Department, FBI, and juvenile court. One of the unique aspects of this project is the ability to focus on the source of the weapons. By doing so, we may be able to provide valuable insights to the community leader searching for solutions.

This requires interviewing juveniles arrested for offenses involving a firearm and tracing the weapons. While this is obviously a difficult task, the task force has thus far been very successful in its efforts. Working closely with juvenile court, task force officers have interviewed 308 juveniles arrested with firearms in the period June 1995, through December 1995. Two hundred and nine weapons have been submitted to ATF for tracing.

A number of sources of illegal firearms for juveniles are being identified and actively investigated. The primary goal is to interdict and prosecute any persons, business, or group illegally supplying firearms to juveniles.

This district has been one of the first in the country to have formally charged an individual under the Youth Handgun Safety Act, 18 U.S.C. section 922(x), which makes it a felony for an adult to transfer a handgun to a juvenile knowing that the gun will be used in a violent crime.

To date this task force has done an incredible amount of work, and we are seeking additional investigative help from the police agencies to follow up leads and interviews.

Second, I would like to discuss the Weed and Seed Program. Weed and seed was an initiative started in the Bush administration and continued in the Clinton administration.

The weed-and-seed concept involves weeding, law enforcement's responsibility I.E.—getting rid of the criminal element and seeding, the community's responsibility by putting in place programs, initiatives that will ensure that the criminals don't come back. The weed-and-seed concept is simple, but the combined efforts of public institutions, private business, and residents of the community requires a certain resolve and long-term commitment.

Example: Turning a crack house into a recreation center. Weed and seed works because it is a local strategy that the community develops and must commit to without the guarantee of Federal funding. When the strategy is in place, the community may be in line to receive Federal support. Weed and seed is policing and prevention at its best.

I am proud to say that the first rural city to be officially recognized as a weed-and-seed site is the city of Dyersburg here in the western district of Tennessee. Their story has been chronicled in many arenas, and I attach to my remarks a sample of what has been written about their efforts. However, there is one story I would like to share.

In Dyersburg, the Police Department and the Bruce neighborhood decided they wanted a neighborhood police precinct to help reduce the crime in their area. A resident donated a house to the city and the businessmen put up the materials and expertise to renovate the house. Aldermen, citizens, and the police supplied the labor in the renovation. When the renovations were about 98 percent complete, and the precinct was less than 2 weeks from opening, two juveniles burned the house down.

Because of the relationships established through the weed-and-seed strategy, the neighbors assisted the police in finding the culprits in record time. The arson galvanized the community and the aldermen voted to provide the money for the materials in the construction of a new building. Private sector still weighed in and the citizens still provided the volunteer labor and built a precinct with brick and mortar. The Bruce community now has a police precinct that the entire community can feel free to visit and call upon. This outpouring of citizen commitment to law enforcement sent a powerful message to the young drug dealers.

Needless to say, other citizens want a neighborhood precinct. From my own experience, I can tell you the weed-and-seed strategy is effective and it works. This is the very type of program that needs your support in order to be replaced in other communities and neighborhoods. As I stated earlier, weed and seed is policing and prevention at its best.

However, the partnership between police and the community cannot be effective if there are not enough police officers on the street and I must say a brief word for the COPS Program.

To date 45 law enforcement agencies in the western district of Tennessee have received officers. While it is important to focus resources on the largest problems which are generally found in the larger, metropolitan areas, the plight of rural communities should not be ignored.

Our greatest crime prevention opportunities can be found in the rural areas. These are areas that are on the verge of becoming hostage to drug dealers and the violence that follows them. While task forces play an important role and are generally deserving of the funding they receive, they are no substitute for the security of the cop on the beat or the cop in a school who can reach children at a young age, with programs such as DARE. I urge you to take a careful look at the benefits of this program.

It is also important to understand that a police department with six full-time officers, does not have the luxury of a staff grant writer who can complete complex applications and competitively apply for Federal and State dollars. Yet, they may have a substantial need for additional officers. That is why the COPS Program with its lack of bureaucracy, expedited procedures for smaller towns, and attention to rural concerns has been a tremendous help to these smaller communities.

Next, I want to bring to your attention, the Memphis city schools, Adopt-A-School Program. Our office officially adopted Cypress Junior High School. It is our hope that the time we spend with the students of Cypress Junior High will not only encourage them to finish schools and lead a healthy lifestyle, but also inspire them to consider law enforcement as an honorable and important profession.

Activities we have participated in include: Members of the staff regularly eating lunch with students at the school; participating in a basketball contest with the basketball team; the Read Aloud Program; attendance at school functions such as assemblies and ball games; and we will begin a mentoring program with a number of interested students.

Mentoring is one of the most successful crime prevention techniques.

We hope that this partnership will last a long time. We have to catch up with the 10 years Veterans' Administration Hospital has given the school, as well as, Springdale Baptist Church, the other long-term adopter and partner in Cypress Junior High development.

This school suffered a tragedy just before our formal adoption ceremony, that we hope will not be repeated. One student fatally shot another student. We are mindful of the tremendous opportunity we have to make a difference.

Finally, I would like to discuss Operation Safe Home. Operation Safe Home is a Housing and Urban Development Initiative that was joined by the Secretary of the Treasury and the Attorney General. The purpose of the initiative is to rid drugs, corruption, and violent crime from public housing developments.

The elderly and children are easy prey to criminals in public housing. They are often held hostage by criminals that take advantage of vacant housing and poorly kept and lit premises. Local law enforcement combined with the Federal efforts has made a commitment to focus attention to this problem and this office has recently brought formal charges against 14 individuals on drug-related and public-corruption charges.

In conclusion, I would leave you with this final thought. My years in law enforcement as a public defender, prosecutor, juvenile court referee and now, as U.S. attorney, have taught me that policing and punishment are the building blocks to an effective criminal justice system. However, convictions alone will not solve, and are not solving, the crime problem in our communities.

I strongly believe that any law enforcement strategy that addresses juvenile or adult violence, must include prevention as an integral part of solving the problem. I would encourage this committee to carefully examine those programs and initiatives that provide opportunities for prevention, as well as, policing and punishment.

Again, thank you very much for the opportunity to testify before this committee.

The Dyersburg Story:

BAD GUYS LIGHT SPARK FOR WEED AND SEED PROGRAM

At the Dyerburg, Tennessee, Bruce Community Weed and Seed site, renovation work was recently started in converting a rental house, located in the heart of the Weed and Seed target area, for use as a mini-precinct by the Dyersburg Police Department. Unfortunately, arsonists thought a little fire could dampen the enthusiasm for this project, but they were wrong.

The idea for the mini-precinct came about through the community's monthly Weed and Seed meetings, as the group worked toward receiving Official Recognition. The Dyersburg Police Department has been operating a bicycle patrol in the Bruce Community for several months, but officers had to leave the area and pedal across town to the main precinct in order to file reports or use the restroom. Having noticed the difference the bicycle patrol was making in their neighborhood, the residents realized the importance of keeping the officers in the community during their entire shift. One resident, Ms. Johnnie Whitelaw, stated that she would be willing to rent a house that she owned to the city for *one dollar* a year for use as a mini-precinct.

Members of the Bruce Weed and Seed Steering Committee, in partnership with Dyersburg's Community Oriented Policing (COP) Steering Committee, solicited over $12,000 worth of in-kind and monetary contributions from area businesses to support the renovations necessary for the mini-precinct. The group did not utilize or request any government funding.

On Saturday, May 27, over 30 residents were joined by United States Attorney Veronica F. Coleman (WD/Tenn.), Dyersburg Mayor Bill Revell, Dyer County Commissioner Bill Cloar, Dyersburg Chief of Police Bobby Williamson, members of the Dyersburg Board of Aldermen and numerous members of the Dyersburg Police Department to begin work on the renovations. Work on the mini-precinct occurred every Saturday, and each Saturday more and more Bruce residents and non-residents came to work on the project. Volunteers unable to wield a hammer brought food or came by to show support and render a kind word to those giving of their time.

Among the Bruce residents working on the renovations was Mrs. Gracie Schaeffer, a member of the Steering Committee. One of her sons is currently serving time in a Tennessee State Prison for a burglary he committed at this same rental house now being converted to a mini-precinct! She, her husband, and another son noted that this project gave them the opportunity to give something back to the community and make atonement. Ms. Whitelaw, the property owner, also came each Saturday with three generations of Whitelaws by her side.

(Continued on next page)

UNITED STATES ATTORNEY VERONICA COLEMAN PROMOTES THE WEED AND SEED STRATEGY

In an August 2nd article appearing in The Dyersburg State Gazette, United States Attorney Veronica Coleman, Western District of Tennessee, praised the Weed and Seed concept and explained the need for communities to get involved in this program. The following are excerpts from her remarks:

"In 'Weed and Seed' terminology, we have crime growing like weeds in our communities and, like weeds, criminals come in different varieties and take root. You cannot wish away the weeds (criminals) or ignore them if you want to create a beautiful and productive lawn and garden (your neighborhood). The first thing you must do is to get rid of the weeds. Sometimes it takes intense hands-on activity. Once you rid your garden of the weeds, you must plant good grass, plants and flowers (economic revitalization, neighborhood watch groups, prevention/ intervention/ treatment programs) to make it difficult for the weeds to return. This consistently requires that you (the community) tend to your lawn and garden with great love and attention, plucking any new weeds before they take root and spread again....

"We know law enforcement often lacks necessary resources and alone cannot remove the criminal element. We also know that communities by themselves cannot maintain a stable environment without a law enforcement presence. The successful implementation of any Weed and Seed strategy is dependent upon a commitment to community policing because it has proven to be the best mechanism for building strong working relationships between law enforcement (the weeders) and the community (the seeders)....

"Do not wait for the criminals to move into your neighborhood before you decide to do something. Create a block club or organize a neighborhood watch now. Get to know your neighbors; report abusive homes to police and social service agencies; clean-up your street; make sure there is adequate lighting; eliminate dilapidated housing through vigorous code enforcement. In other words, take control of your neighborhood!..."

For a complete copy of United States Attorney Coleman's article, contact the EOWS Staff at (202) 616-1152 and ask for Resource No. 959P-1.

BEST COPY AVAILABLE

DYERSBURG (Continued)

The project was progressing rapidly, and August 1 became the target date for the official opening. Then at 3:00 a.m. on Friday, July 21, the mini-precinct was doused with gasoline and set ablaze. But these vandals could not know that this fire created a spark in the community unlike any previously experienced. The police department committed every available resource to the community in an effort to find the arsonists. Visibly angered by this act of destruction, residents joined alongside the officers to assist them in locating witnesses. Residents also used this opportunity to spread the word about the Weed and Seed effort, encouraging their neighbors to come to a specially called meeting on July 24. Through this combined effort, two juveniles with long criminal records were arrested on July 23.

The monthly Weed and Seed public meeting, which usually had 25 in attendance, had 80 people on July 24. The residents commended the police department for catching those responsible, and the police chief commended the residents' help, stating that the department's commitment to Bruce was as strong as ever. Roland Fowlkes, the alderman who represents the Bruce community, echoed the police chief's comments and noted that even if it is a tent, there would be a mini-precinct. One resident even brought a check to contribute to the rebuilding process.

Several residents noted that as a result of their experience with the police in this matter, they were beginning to understand the importance of being another set of "eyes and ears" to assist the department. After some discussion, the residents elected to begin an intensive neighborhood watch program and requested training from the police department.

They also decided to hold a victory celebration, neighborhood march, and training on August 1 to commemorate what should have been the opening day of the mini-precinct. The daily paper, *The Dyersburg State Gazette*, published numerous articles and wrote editorials about the good work of the project. On August 1, over 125 persons joined together to march and attend the training. Many of the non-residents who marched were first-time visitors to the Bruce community, bringing their families and donations.

The original site has been cleared, and it is expected that a new ground-breaking will be held in a few months. This fire not only lit a spark in the Bruce community, but in the hearts of all Dyersburg citizens. ◆

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DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

FEB 14 1996

MEMORANDUM TO: United States Attorney
Western Judicial District of Tennessee

FROM: Resident Agent in Charge
Memphis Field Office

SUBJECT: Gang Resistance Education and Training

The Gang Resistance Education and Training Program (GREAT) is a partnership between the Bureau of Alcohol, Tobacco and Firearms (ATF), the Federal Law Enforcement Training Center, and the Phoenix, Arizona, Police Department. The program is designed to show young people positive alternatives to joining the street gangs that menace our society. The program, which focuses on students in seventh and eighth grades, is presented to the students by local police officers and ATF special agents who are as positive role models to the students. At the conclusion of the program the students participate in a graduation ceremony that celebrates the positive accomplishments of the students.

The officers and special agents who teach the GREAT program to the youngsters are trained by GREAT's National Training Team, which is composed of local officers and special agents from across the nation. Training is provided to new GREAT instructors at no charge to the local police department, except for travel costs to the training site.

For the last fiscal year the Memphis, Tennessee, Police Department received $400,000 in congressional appropriations in order to fund their participation in the GREAT program. The instructors in the Memphis Police Department were trained by the National Training Team.

The GREAT program is illustrative of the successful partnerships that can be formed by local and Federal law enforcement. All of law enforcement is concerned about the problems of juvenile crime and gang involvement. GREAT is an innovative method used by law enforcement to help in stemming this problem.

If you have any questions, please contact Resident Agent in Charge Carlos Sampayo or Acting Resident in Charge James Allison at (901) 766-2904.

Carlos Sampayo

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JACKSON POLICE DEPARTMENT
234 INSTITUTE STREET • P. O. BOX 2587 • JACKSON, TENNESSEE 38302-2587
RICHARD S. STAPLES, CHIEF OF POLICE

To: Sandra Stapleton
From: Lt. Gerry Campbell
Reference: Thursday's Senate Hearing
Date: 2-12-96

I will represent the Jackson Police Department at the hearing either just in support of your office and Ms. Coleman or testify if needed. We have a Police Supplemental Hiring Grant (460,000.) over three (3) years if I need to talk about that.

The grant allowed the department to hire seven (7) officers and reassign seven (7) veteran officers to Community Oriented Policing in four previously high incident crime areas. Crime in the first two (2) target areas selected has dropped by over 50% during the last two (2) years.

We have created a Police Community Athletic Association (PCAA) as a result Jackson Leadership Council (JLC), which sponsors the weekly crime marches that occurs in some part of the city each week. JLC identified the need for youth and police to form partnerships and have a co-active relationship that previously did not exist. In the two years since it's creation, over three hundred and fifty youth have participated in programs with police and other volunteers as coaches and mentors. PCAA provides workshop training in numerous areas and conducts educational and recreational fieldtrips for youth. I can briefly talk about some of the youth we've gotten out of gangs etc, if needed.

P.S.

I will call you on Wednesday morning, I am out of town on Tuesday the 13th of February for a prior engagement. Again I will be prepared to talk or just support Ms. Coleman, just let me know the schedule of when to be there if needed before 11:30 am.

You may fax information to JPD at (901) 425-8242 or call me (901) 425-8467.

YOUTH RELATED COMMUNITY POLICING ACTIVITIES

At present the Union Cith Police Department is involved in several youth related programs in our community policing efforts such as:

1. National Night Out - This program is geared to reach out to our youth about crime prevention by presenting programs throught the communtiy on the first Tuesday in August.

2. Law Enforcement Explorer Scouts Program - The department sponsors a Law Enforcement Explorer Scout Program through the Boy Scouts of America in which we have 18 active high school students involved. We meet twice a month and have training sessions and a ride-along program where the scouts can ride with the officers and observe actual work.

3. Student Police Academy - We are in the process of developing and implementing a Student Police Academy Program to be conducted in the Spring of 1996. This program will be geared for high school level youth.

4. D.A.R.E. Program - We are currently in our second year of presenting the D.A.R.E. Program to the fifth grade elementary school students in Union City. Their graduation has been set for April 25, 1996 with Miss Tennessee, Ali Shumate, to be present for the graduation.

5. Miles School Community Station and Training Facility - On January 15, 1996 the department open a second mini-station at Miles School. From suggestions from the community youth the facility was set up in a classroom format in order to present classes to our youth on law and crime prevention. The facility has recently been utilized to conduct meetings to set up a Neighborhood Watch for the community. On 12 February 1996 a second meeting was held and ten (10) Neighborhood Watch Blocks were established.

With community support and imput, we are establishing long term goals that will assist in detering crime and have a positive effect on our youth.

RIPLEY POLICE DEPARTMENT

110 South Washington
Telephone 635-1515
RIPLEY, TENNESSEE 38063

Richard Douglas
Mayor

Billie Ann Hendren
Commissioner

DENNIS KING, Chief

February 12, 1996

Mrs. Coleman:

Subject: Problems we have with juvenile offenders.

1. Don't have facilities for juvenile lock-up.
2. Not enough secured facilities until committed.
3. Parents not responsible for juvenile acts.
4. Lack of resources for juvenile offenders. No sex programs. No drug programs.
5. Felony vilators placed in non secured facilities.
6. 60 to 70% of crime being committed by juvenile.

Dennis King.

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City of Paris
Police Department
100 N. Caldwell Ave. P.O. Box 970
Paris, Tennessee 38242

Chief Thomas A. Cooper
Phone 901-642-2424
Fax 901-642-1620

Ms Veronica F. Coleman
U.S Attorney's Office
1026 Federal Building
167 North Main Street
Memphis, Tennessee 38103

February 12, 1996

Dear Ms Coleman,

I was talking with Sandra McQuain today and our conservation turned toward your upcoming testimony before a Senate Committee on Juvenile Justice. Sandra ask if I might relay ideas and programs form our area relevant to juvenile problems.

Presently we are experiencing minor problems with juveniles such as truancy, minor thefts, drug use, vandalism, and the like. I refer to these as minor because they have not reflected a sufficient impact on the public in general. The problem has come home to only a few. We have not suffered from violent behavior except in a few isolated cases. These cases were handled by placing the juveniles involved into adult courts and vigorously prosecuting. The stance of not tolerating violent behavior soon spread. I feel that this accountability stance had a great impact on present behavior.

Our local Juvenile Court staff has been doing a great job working with probationary juveniles. Most borderline juveniles need guidance, a shot at self esteem, and a surrogate parent when there is no interested parent. The sad news from them is that approximately 60 % of probationary juveniles test positive for marijuana at each meeting. It seems to be a widely accepted custom. It is found that most of the juvenile crime committed is committed under the influence.

The most effective program we now locally have is an intense probation conducted by officers with less than 20 clients. Probation officers are seen as "Case worker/ Probation officer". This allows for a more comprehensive program to support the client with the necessary authority to guide the juvenile as well as the parent. Parenting classes have been established which are utilized by voluntary parents as well as court ordered parents

Our largest problem now is the lack of facilities to incarcerate juveniles that do not immediately fit into the probationary class

The nearest facility is more than 60 miles away. We have found that incarceration is truly a deterrent not only with juveniles but with adults alike. No one likes to have there freedom taken away for a prolonged length of time. When someone is bent toward criminal behavior, and sees no immediate consequences for their actions, they are more likely to proceed with that behavior.

I do hope that we can find a solution to these problems soon before we can not find our way out. I feel we can find the solution in our past, not in "new programs". I fear that the past is gone in many ways. The morality of family living is unknown to at least two generations now.

Respectfully,

Thomas A. Cooper

Thomas A Cooper
Chief of Police

Somerville Police Department

PHONE 901-465-3205
117 WEST NORTH STREET
P. O. BOX 218

SOMERVILLE, TENNESSEE 38068

MEMORANUM

TO: Veronica F. Coleman, United States Attorney

FROM: Firn Jordan, Somerville Chief of Police

SUBJECT: LECC Steering Committee

DATE: October 3, 1995

I have been a member of the LECC Steering Committee since July 1995. Even though I have not been able to attend, each time I have sent a representative from my department. We have a small department of ten (10) officers. We do not have the financing to attend other programs offered to us.

I have recently hired an officer under the COPS FAST Grant. This officer has been attending our Elementary School daily in order of establish a close relationship with the children and develop an understanding that we care for them and are willing to listen if they have a problem.

Through the LECC Steering Committee we can develop law enforcement programs that will be useful to our community.

/FJ

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WEED AND SEED -- HOW DOES YOUR GARDEN GROW?

by Veronica F. Coleman, U.S. Attorney, Western District Tennessee

"What is Operation Weed and Seed?" As I have answered this question during my tenure as United States Attorney, I have discovered that the concept is sometimes easier to talk about than to implement. If you have ever cultivated a healthy and beautiful lawn and garden, then you have first hand knowledge of the commitment of time and resources it takes to weed, seed, prune, water, etc., in order to make your garden flourish. "Operation Weed and Seed" works along the same principles.

The Weed and Seed Concept

When one decides to plant a garden, they carefully target an area with a high potential for growth and select a strategy for implementing a garden. The target area is then weeded in order to make room for the seeds and give the seeds the best opportunity to sprout. As the seeds grow into flowers and plants, the gardener spends time and resources doing such tasks as weeding and watering in order to give the vegetation every opportunity to be productive.

In "Weed and Seed" terminology, we have crime growing like weeds in our communities and like weeds, criminals come in different varieties and take root. You cannot wish away the weeds (criminals) or ignore them if you want to create a beautiful and productive lawn and garden (your neighborhood). The first thing you must do is to get rid of the weeds. Sometimes it takes intense hands on activity. Once you rid your garden of the weeds, you must plant good grass, plants and flowers (economic revitalization, neighborhood watch groups, prevention/intervention/treatment programs) to make it difficult for the weeds to return. This consistently requires that you (the community) tend to your lawn and garden with great love and attention, plucking any new weeds before they take root and spread again.

The Weed and Seed Strategy and Community Policing

"Weed and Seed" is first and foremost, a multi-agency **STRATEGY**. It is not another federal program that dissolves when the money runs out. The significant factors that make this strategy work are that it is resident driven and that it combines federal, state and local resources; law enforcement; social services; the private sector; and community efforts in order to maximize their effectiveness in the target community. The strategy involves four elements: Law Enforcement, which provides the tools for weeding out criminals; Neighborhood Revitalization and Prevention, Intervention and Treatment Programs, both of which provide seeds for community redevelopment; and Community Policing, the most crucial element, which provides the bridge between the weeding and the seeding.

Community Policing is not a new concept. The "cop on the beat" was one of the most effective law enforcement tools in the prevention and intervention of crime. Citizens knew the officers, officers knew the people and police presence acted as a deterrence as well as to assist those in need. This familiarity also provided an avenue for building relationships of trust and understanding.

We know law enforcement often lacks necessary resources and alone cannot remove the criminal element. We also know that communities by themselves cannot maintain a stable environment without a law enforcement presence. The successful implementation of any weed and seed strategy is dependent upon a commitment to community policing because it has proven to be the best mechanism for building strong working relationships between law enforcement (the weeders) and the community (the seeders).

Operation Weed and Seed -- A Strategy, Not Another Federal Program

Operation Weed and Seed began in the Bush administration and was continued in the Clinton administration because the strategy worked over and over again in targeted neighborhoods. Residents and communities who utilized the weed and seed strategy soon learned how to help themselves, without throwing money at their problems.

However, recognizing that these Weed and Seed Communities have demonstrated their willingness and ability to tackle their problems without dependency on the federal government, the federal government has made a concerted effort to target these communities with federal dollars. The federal dollars are available as: 1)

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incentives to foster the multi-agency community partnership strategy and, 2) to boost strategies already in place and working.

The Dyersburg Story

Dyersburg has demonstrated its willingness to implement the Weed and Seed strategy in several neighborhoods. The elements for successful weed and seed strategies already exist. The police department is committed to community policing, and the public and private sectors have come together to create beautiful gardens. The criminals who burned the Bruce Neighborhood Police Precinct are going to have to go somewhere else, because the combined efforts of all will prove too much for the cowards.

When their application is completed and filed, we expect Official Recognition of Weed and Seed Sites by the United States Department of Justice. This Official Recognition will place Dyersburg in a priority position for Weed and Seed funding and its status will add points to all other applications for federal monies.

How Does YOUR Garden Grow?

Once convinced of the soundness of the weed and seed strategy, the final question people ask is, "When you push the criminals out of one area, don't they just relocate to another area?" The answer, unfortunately is yes, and no neighborhood should feel they are invincible.

Do not wait for the criminals to move into your neighborhood before you decide to do something. Create a block club or organize a neighborhood watch now. Get to know your neighbors; report abusive homes to police and social service agencies; clean-up your streets; make sure there is adequate lighting; eliminate dilapidated housing through vigorous code enforcement. In other words, take control of your neighborhood!

Which of you is going to start the next strategy? Or, better yet, how many gardens are going to be cultivated to **prevent** the weeds from growing?

FYI - NOTES ON COLEMAN

Coleman was sworn in as United States Attorney for the Western District of Tennessee on October 18, 1993. She represents 22 counties in West Tennessee.

Senator THOMPSON. Thank you, Ms. Coleman, for being here today.

General Pierotti, thank you for being here.

STATEMENT OF JOHN W. PIEROTTI

Mr. PIEROTTI. Thank you, Senator. It is my privilege to be here.

I have been a prosecutor for 28 years. During that period, I have seen a tremendous change in the number of juveniles prosecuted by my office in criminal, the adult, court. Not only has the number changed, but the types of crime that we are seeing are far more violent than we saw before. I will not go back to when I started, but I will go through the last 10-year period that we have any statistics on—that I have any statistics on. And these statistics come out of the crime report which has been heretofore referred to.

In the period between January 1, 1985, and December 31, 1989, 33 percent of the homicides committed in this city were committed by persons between the ages of 14 and 24. During the period between January 1, 1990, and December 31, 1994, 52.9 percent of the homicides were committed by persons in this age group. That is about a 50-percent increase in juvenile homicides committed.

This is a simple statistic but it really does not tell the story about the rise in juvenile violence. The real story lies in the body count. During the earlier period, 1985–1989 period, there were 763 murders in this city, and in the latter period, 1990–1994, the number of murders rose to 912. So, in the earlier period, there were 268 people—were killed by juveniles, but in the latter period, 482. That is an 80-percent increase in victims. As I said, these statistics came from the crime report.

There are a lot of other statistics which are just as grim. Statistics about the rise in the number of rapes, robberies, and aggravated assaults committed by juveniles. And the statistics about how much this cost: How much it cost the victims, how much it cost the city, State, county and Federal Government. This cost is in the millions but I believe that the real cost, that I have seen, is the diminution of our quality of our lifestyle.

When I was a boy, and that may really be going back too far, I had no fear of going any place in this city. Today, there are places I hesitate to go even though I may be armed. In my youth, our neighborhoods were safe. We did not even lock our houses. Now, people, some of them, have virtually imprisoned themselves out of fear.

Regularly, we read in the hot summer months where elderly people have nailed themselves into their homes out of fear. And a great deal of this can be attributed to the juvenile violence that they are experiencing. As I look at these stories, and think about them, I wonder how we came to be where we are. And I have realized that I do not really think that we, in law enforcement, could have done anything to change the lies that we have experienced.

The solution does not lie with us. The solution lies in changing some of the things that we have been doing and the solution lies in admitting and having the guts to admit that we are wrong and deciding to change.

Nothing negatively impacts children worse than the dysfunctional family and home. In the crime report, it was pointed out that today, 26 percent of the households in this city are headed by single parents. Our illegitimate births, as we have heard before, now outnumber legitimate births. So the figure of the single household is simply going to increase. Why has this happened? One of the things that I have to take issue with others about, is that we want the Federal Government to change and we want you to tell us how to do it.

I am afraid that I feel, and I think to an extent you did, because I followed your campaign, you do not believe the Federal Government is doing a very good job in telling us how we should live and how we should take care of ourselves.

I believe that we, in local areas and State, counties, and cities, have a better idea. And the reason I believe this is because, for one reason, I believe we have created a welfare system that has destroyed the family unit. We have actually thrown the fathers out of the house. If a family needs and wishes to obtain the bare sustenance that they need to survive, then the father must go.

If the father is there trying his best, even though he is not getting it done, then that family is not going to be eligible because he is present. He is the wage earner. So, with the father gone, who do those kids look to for direction and how to survive? They look to the drug dealers and the thugs in their neighborhoods and get what they want through violence and the commission of crimes.

We have further said to these children that it is all right to have children out of wedlock because the family unit means nothing any more. What we have said is that you also, then, if you want assistance, you do not need to be a family unit because we know how to take care of you better than you know how to take care of yourself.

What we have now created with our welfare system is a life of poverty for too many of our people and this poverty breeds a heavy incidence of crime that we see in so many areas of our city.

Instead of offering a helping hand or a bridge, we have created a permanent underclass who will never escape. The children see this and rationalize that this is what life holds for them, also.

In addition to this problem, through our desire to see that every child is treated equally by our educational system, we have destroyed one of the most stabilizing influences in our city, and that is the neighborhood school. It was a place for neighbors to meet and discuss not only the progress of their children, but a place to meet to discuss neighborhood problems. It was a place for children to participate in many after school activities, a place where you could probably walk to. If you misbehaved on your way to or from school, your mama was going to know about it because the neighbors had a very good system of communicating with her. She was going to be waiting for you there.

Lastly, we have destroyed our children's respect for authority. This has come about largely through Supreme Court decisions that have tied the hands of our educators and greatly expanded the rights of criminals.

Notwithstanding this, I believe we have not gone beyond the point of no return. I see many positive things happening. Just as I saw an article in the Commercial Appeal last Sunday about the young lady at East High School who finally said, "Enough is enough." She and others in her area have gotten together to try to do something to stop the violence in our schools. Our city and county governments have recognized this and are cooperating with the authors of the crime report to try to find out what our problems are and what we can do about it.

Our Governor and our legislature are now working on a system that will change our welfare system, a families first program which I hope will reunite our families instead of driving them away and breaking them apart.

I believe the Congress of the United States is also looking at limiting the limitless appeals of some of our criminals and bringing a finality to prosecution. I also believe and hope that some day that Congress will look at ways to discipline certain renegade judges who are on the bench.

In the long run, however, government can only do so much. If the situation which we are faced with today is going to be changed, we, the people, are going to have to change it. We are going to have to take the responsibility of changing it. We cannot say there is nothing we can do, because we can. We must try. If we do not, it will never get done.

Last, all of us as adults must do one thing. We must listen to the young people. They know far better than we do what problems they are facing today and they probably know far better than we do what solutions have a chance to work.

Thank you.

Senator THOMPSON. Thank you very much, Mr. Pierotti.

Dr. Wood, thank you for being here. I appreciate your statement.

STATEMENT OF ROBERT W. WOOD

Mr. WOOD. Thank you, Senator, for allowing me this presentation, also. Thank you for your dedication, sir, for what I think is the biggest problem facing us.

The Youth Habilitation Center is a Memphis and Shelby County Juvenile Court project administered by the Agency for Youth and Family Development. The YFD is a nonprofit 501(C)(3) corporation that provides habilitation services for juvenile offenders and research into causative factors and effective prevention and habilitation services for juvenile delinquents.

The center in Memphis is a 32-bed unit for chronic and violent male juvenile offenders, most of whom have accompanying drug charges for possession or sales. It was opened in January 1995, and the average length of stay is presently 140 days, with 1 year in an aftercare followup program. The program was funded with grants from the Edward Byrne Memorial Law Enforcement Assistance Program through the Department of Justice, Bureau of Justice Assistance; and the Tennessee Department of Health, Bureau of Alcohol and Drug Abuse Services; and the State of Tennessee Department of Finance and Administration.

Demographic analysis of residents' data profiles show the following: The average resident—and there are 71 so far—the average resident is 16 years of age, has 10 prior contacts with juvenile court with 2 for serious, violent offenses and one of a weapons possession charge. The average age of the first arrest is 11; 75 percent were born out of wedlock; 82 percent are from single parent homes;

97 percent report having sold drugs, usually crack cocaine; 78 percent of the group reports daily use of drugs, primarily marijuana; and 79 percent report frequent truancy and the average IQ on the WISC is 81.

The habilitation program at the YHC has been developed over 25 years of experience in working with acting-out adolescents. The treatment regimen, Logical Self-Interest Therapy, has independent evaluation studies showing a 6-year recidivism rate of 12.4 percent. The recidivism rate at the YHC in Memphis is 11 percent of 38—of around 38 people in the aftercare phase of the program and their average is 150 days in the aftercare phase. The program works because it is based on common sense and the use of treatment concepts proven effective with this particular type population.

The vast majority of adolescents that enter the program have not been raised by adults. They have been raised by accident. Children do not come into the world as angels waiting to happen. They must have their behavior controlled by a responsible adult until they are able to control themselves. We are the only species that requires 18 years, at least, of nurturing to produce a successful adult. If this nurturing and education do not occur, the result will almost inevitably be a juvenile who becomes delinquent and/or emotionally disturbed.

Why? Because the major difference between those who act-out and those who do not, lies not in the existence of impulses of an antisocial nature, but in our ability to control and sublimate such impulses. Each of us has such impulses, but most of us have learned how to control them, and the teaching process came from our parents and significant others in our early years of development.

The LST treatment program provides an extremely intensive learning regimen designed to replace antisocial behavior with prosocial behavior.

Senator THOMPSON. Dr. Wood, could you speak up just a little bit. What you are saying is very important. I want everybody to be able to hear you.

Mr. WOOD. I will try, Senator. After all, I have been dealing with these kids all morning. It takes my voice.

The therapy program has six basic tenets.

Most residents have the same basic wants and needs.

Each resident has to face about the same types of fear and anxiety.

The majority of residents have learned antisocial means of dealing with their wants, needs, and fears.

Most residents have the potential to learn prosocial means of obtaining their wants and needs, and overcoming their fears.

For this learning to occur, every minute of the waking day must provide a prosocial life skills program of maximum intensity to overcome the past 13 to 17 years of dysfunctional learning experiences.

For these prosocial skills to be maintained in the outside environment, there must be a neighborhood-based monitoring and mentoring program, and appropriate role models who continually reinforce and support prosocial life skills.

The program begins 0540 in the morning and runs to 2200 at night, 10 at night. Every minute of the day is organized and every resident is responsible for being on time and knowing his daily schedule. Everything is a privilege in the unit except three good meals a day, a comfortable place to sleep, appropriate clothing, a climate controlled environment, and courtesy and respect.

Everything else—TV, stereo, recreational activities besides the daily physical training—all of this must be earned and can be removed for inappropriate behavior. The adolescents are responsible for cleaning their rooms and all cleaning on the unit.

There is a series of more than 200 rules and regulations which govern behavior on the unit. Upon admission, the resident is given a manual delineating all the rules. There is a cuing system that notifies the resident when he has broken a rule, or is failing to act in accordance with unit regulations. The cue is given in a standardized format, "make you aware (state the nature of the infraction)." The cue must be given in a neutral tone of voice and the only response is, "Thank you, sir or ma'am."

The cuing system is designed to force the resident to constantly evaluate what he is doing and the possible consequences of his behavior. All staff must abide by the same rules as the residents and are cued by the residents for any rule infraction. Each resident must be addressed by Mr. and the person's last name, or "Sir." Residents must also address each other with Mr. and the person's last name.

This form of address serves a number of purposes. It allows the resident to discover that showing respect is not a sign of weakness and can actually have some benefits. It shows respect for the residents and it decreases any perception of disrespect when cues are delivered.

When a resident has been cued for the same offense on a number of occasions or the offense is of a serious nature, a learning experience is awarded to the resident by a peer council. The council is chaired by residents of the program, but all the consequences for the behavior have been established prior to the session by clinical staff and the proceeding is monitored by clinical staff. Peer pressure is an extremely effective motivator of behavior with any adolescent population and the LST program is founded on this concept.

A series of positions can be earned by the resident that have ever-increasing job responsibilities and ever-increasing privileges. There are job descriptions for all positions and they are extremely complex. The resident learns that benefits are correlated with responsibilities. He also learns organizational skills, decisionmaking skills and communication skills.

The resident's day consists of school, group therapy, individual therapy, and recreational activity. After morning cleanup, the adolescent attends morning meeting where the day's schedule is discussed, learning experiences for inappropriate behavior are removed if the resident has acted appropriately, morning entertainment is given by all members of the staff.

After that, the residents attend school for 5 hours. There is an individual educational plan for each adolescent. A computer learning lab is also a part of the curriculum and each resident learns basic computer skills and Word Perfect. For those showing an aptitude, we also have LOTUS 123 and CAD systems.

Basically, this program is based on this concept that children grow up with modeling and optimum conditions as how they develop their patterns of behavior. And they have had the wrong role models and inappropriate types of conditioning. That is, what happens after an inappropriate act may well be a reward in our society.

What this program does is it constantly endorses the child in a situation where no matter how he wishes to respond, the only way he can get ahead in this program is by responding in an ethical and responsible fashion. We do not lecture to them. We simply immerse them in an environment that every waking moment shows them what they should be doing.

I think unless there is more research into the problems of juvenile delinquency and more programs provided that the country will steadily decline even more than it presently has.

Thanks, Senator.

[The prepared statement of Mr. Wood follows:]

PREPARED STATEMENT OF ROBERT W. WOOD

The Youth Habilitation Center is a Memphis and Shelby County Juvenile Court project administered by The Agency for Youth and Family Development (YFD). The YFD is a nonprofit 501(C)(3) corporation that provides habilitation services for juvenile offenders, and research into causative factors and effective prevention and habilitation services for juvenile delinquents.

The center in Memphis is a thirty-two-bed unit for chronic, and violent male juvenile offenders, most of whom have accompanying drug charges for possession or sales. It was opened in January of 1995 and the average length of stay is 140 days in the residential phase with a one year aftercare program following discharge. The program was funded with grants from the Edward Byrne Memorial Law Enforcement Assistance Program through the Department of Justice, Bureau of Justice Assistance; and the Tennessee Department of Health, Bureau of Alcohol and Drug Abuse Services; and the State of Tennessee Department of Finance and Administration.

Demographic analysis of residents' data profiles show the following: the average resident is sixteen years of age; has ten prior contacts with juvenile court with two serious, violent offenses and one weapons possession charge; the average age of first arrest is eleven; 75% were born out of wedlock, 82% are from single parent homes, 97% report having sold drugs (primarily crack cocaine), 78% report daily use of drugs (primarily marijuana), 79% report frequent truancy, and the average IQ (WISC) is 81.

The habilitation program at the YHC has been developed over twenty-five years of experience in working with acting-out adolescents. The treatment regimen, Logical Self-Interest Therapy (LST), has independent evaluation studies (Evaluation Resources Inc., Memphis, TN) showing a six-year recidivism rate of 12.4%. The recidivism rate at the YHC is presently 11% with thirty-eight juveniles in the aftercare phase of the program. The program works because it is based on common sense and the use of treatment concepts proven effective with this population.

The vast majority of adolescents that enter the program have not been raised by adults, they have been raised by accident. Children do not come into the world as angels waiting to happen. They must have their behavior controlled by responsible adults until they are able to control themselves. We are the only species that requires eighteen years of nurturing to produce a successful adult. If this nurturing and education do not occur, the result will almost inevitably be a juvenile who becomes delinquent and/or emotionally disturbed. Why? Because the major difference between those who act out, and those who do not, lies not in the existence of impulses of an antisocial nature, but in our ability to control and sublimate such impulses. Each of us have such impulses, but most of us have learned how to control them, and the teaching process came from our parents and significant others in our early years of development.

The LST treatment program provides an extremely intensive learning regimen designed to replace antisocial behavior with prosocial behavior. It attempts to eradicate the effects of previous dysfunctional learning and substitute more effective ways of dealing with the child's feelings, wants and needs. The therapy program has six basic tenets:

1. Most residents have the same basic wants and needs.
2. Each resident has to face about the same types of fear and anxiety.
3. The majority of residents have learned antisocial means of dealing with their wants, needs and fears.
4. Most residents have the potential to learn prosocial means of obtaining their wants and needs, and overcoming their fears.
5. For this learning to occur, every minute of the waking day must provide a prosocial life skills program of maximum intensity to overcome the past thirteen to seventeen years of dysfunctional learning experiences.
6. For these prosocial skills to be maintained in the outside environment, there must be a neighborhood-based monitoring and mentoring program, and appropriate role models who continually reinforce and support prosocial life skills.

The program begins at 0545 in the morning and runs to 2200 at night. Every minute of the day is organized, and every resident is responsible for being on time and knowing his daily schedule. Every thing is a privilege except three good meals a day, a comfortable place to sleep, appropriate clothing, a climate controlled environment, and courtesy and respect.

Everything else—TV, stereo, recreational activities besides the daily physical training regimen, etc.,—must be earned and can be removed for inappropriate behavior. The adolescents are responsible for cleaning their rooms and for cleaning common use areas. They do all the cleaning on the unit.

There is a series of more than two hundred rules and regulations which govern all behavior on the unit. Upon admission the resident is given a manual delineating all the rules. There is a cuing system that notifies the resident when he has broken a rule, or is failing to act in accordance with unit regulations. The cue is given in a standardized format, "make you aware (state nature of infraction)." The cue must be given in a neutral tone of voice and the only response is "Thank you sir, or ma'am."

The cuing system is designed to force the resident to constantly evaluate what he is doing and the possible consequences of his behavior. All staff must abide by the same rules as the residents and are cued by the residents for any rule infraction. Each resident must be addressed by Mr. and the person's last name, or "Sir." Residents must also address each other with Mr. and the person's last name. This form of address serves a number of purposes: (1) it allows the resident to discover that showing respect is not a sign of weakness and can actually have some benefits; (2) it shows respect for the residents; and (3) it decreases any perception of disrespect when cues are delivered.

When a resident has been cued for the same offense on a number of occasions, or the offense is of a serious nature, a learning experience is awarded to the resident by a peer council. The peer council is chaired by residents of the program, but all the consequences for the behavior have been established prior to the session by clinical staff and the proceeding is monitored by clinical staff. Peer pressure is an extremely effective motivator of behavior with any adolescent population and the LST program is founded on this concept.

A series of positions can be earned by the resident that have ever increasing job responsibilities and ever increasing privileges. There are job descriptions for all positions and they are quite complex. The resident learns that benefits are correlated with responsibilities. He also learns organizational skills, decision-making skills, and communication skills.

The resident's day consists of school group therapy, individual therapy and recreational activities. After morning cleanup, the adolescent attends morning meeting where the day's schedule is discussed, learning experiences for inappropriate behavior are removed if the resident has acted appropriately, morning entertainment is given by residents and staff when called on by the group leader (all residents and staff must be prepared to give entertainment in the form of poems, songs, etc.), and all individual and group clean up areas are evaluated to determine if they pass inspection.

Residents then attend school for five hours. There is an individual educational plan for each adolescent. A computer learning lab is also a part of the curriculum and each resident learns basic computer skills, and Word Perfect. For those showing an aptitude, LOTUS 123 and CAD systems are taught. Two pre-vocational skills classes are held each week. The resident fills out a minimum of ten simulated job interviews, and learn basic work skills required by employers—being on time, com-

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munication skills, etiquette, understanding pay rates and deductions, and appropriate interaction patterns with peers and supervisors. Classes are also given in budgeting, opening bank accounts, acquiring all necessary documents (birth certificate, drivers license, SS#), and available resources or information—LINC, Chamber of Commerce, Tennessee Employment Security, Job Bank, etc.

The resident has at least five group therapy sessions per week and three individual sessions. Both the groups and individual sessions emphasize what is in the resident's own best interests. Virtually every study on adolescents shows that it is impossible to inculcate morals and ethics through lectures or sermons. A kind of stealth therapy approach is needed. The resident is immersed in an environment that is value based and will not respond favorably to him unless he displays ethical behavior. He is surrounded by adults who act on the same principles. He is motivated by the environment to a least act as if he believed in these prosocial behaviors. This is the first step in learning ethical, prosocial behavior—acting a part until it becomes a part of you.

This is the way all of us learned responsible behavior. We could steal before we know the definition of stealing. As children, we accepted direction from adults because we needed there support and approval. The LST program does not lecture, it channels the resident into prosocial patterns of behavior. The longer you act in a prosocial manner the greater the likelihood that you will become what you are acting—you will reach a point of critical mass where your basic concepts match your behavior. This is the same process that perpetuated the residents' delinquent behavior; it is just reversed to substitute ethical patterns of behavior.

LST emphasizes breaking down the adolescent's concepts of what he wants and needs, and how he can best acquire these wants and needs. The resident is forced to look at what he thinks and why he thinks it. He is led through decision-making processes over and over again. Effects of past experiences which impair the resident's perception of the world and how he responds to it are examined. He is channeled into a more appropriate view of himself, the world around him, and how to get what he needs. The emphasis is always on what works in relation to his own self-interest. It is, in reality, in all of our best self-interest to abide by society's rules and, in time, the child may learn that his greatest self-interest is an interest in the welfare of all of us.

The program works because it demands individual responsibility, it demands that the resident examine every aspect of his behavior and the way he thinks and makes decisions, and it provides a constant series of rewards and sanctions in relation to behavior. It is extremely directive because the resident's past behavior has proven the need for such direction. It teaches organizational skills, decision-making skills and prosocial life skills. The adolescent is immersed in an environment that will not accept antisocial behavior, and demonstrates the effectiveness of prosocial behavior.

The aftercare phase of the program lasts twelve months. Each resident must develop his own aftercare plan and aftercare contract (delineating rules, regulations and sanctions) before he can be discharged. There must be a school plan, a plan for getting employment if appropriate, and a contract for appropriate behavior in the home with his parent or guardian. The aftercare counselor visits the home, school and job site weekly. The resident must call in daily during the first three months, and four times a week after the first three months of aftercare. He attends two groups per week during the first three months and one group for the next four months. The initial curfew is 1800 with allowances for job or school activities. This is gradually increased to the regular curfew as the adolescent demonstrates responsibility. Any infractions can move the adolescent back to the more strict requirements or return him to the residential phase if necessary.

There are some children that no amount of habilitation will change. This may be due to genetic predispositions to violence, early learning experiences that are so detrimental that they cannot be overcome, or a combination of both elements. Still, most of these adolescents can be changed for the better, and the change helps both the child and the society in which he lives. Every generation of violent juvenile offenders will inevitably produce an increasing number of children raised in the same conditions who will have an ever decreasing chance of breaking out of the cycle. Unless more resources are committed to habilitation and research, nothing can stop the continuing decline of our society.

Senator THOMPSON. Thank you, Dr. Wood. What is the average age of the person in Youth Habilitation Center?

Mr. WOOD. Sixteen.

Senator THOMPSON. And how long do you keep them on average or do you plan on keeping them on average?

Mr. WOOD. The average is about 140 days.

Senator THOMPSON. One hundred and forty days. I want to play devil's advocate with you a minute. These are the more violent ones. They are more violent than the ones that Mr. Ball is having to deal with here. They are pretty chronic.

What leads us to believe that you can take these young people who, in many cases, started a life of crime as a small child. They never had any of these intervention programs or any other beneficial influence in their life perhaps. Sounds to me like you are doing everything you can possibly do. Sounds like a wonderful program.

As I say, I'm playing the devil's advocate here a minute. Can you make the case, and you have only been in existence since January 1995 so I do not know whether or not you can really point to an effective lack of repeaters or not, but what make us as a society think that we can take young people like that, no matter how well we treat them for a hundred-and-so-many days, and turn them around?

Mr. WOOD. We have actually been about 25 years, Senator Thompson. Also I think there is only 10 percent of them, Senator, that no one is going to change. But I do believe that somewhere in 90 percent, we are capable of changing but we are not reaching them.

We do this as a profession. I care for them but this is set up in a way to try to break down the concept the child has developed in the early formative years. I think virtually every study in nature shows that your ethics and moral values are learned between the ages of 1 to 5. And most people say between the ages of 1 to 3. And all the literature shows that the lessons and education will not help after that as far as lectures go.

You have got to learn the same way that you learned as a child. When you first tell me that "I stole something" as a small child, I can steal before I can understand what stealing is. But I can also understand who controls the warm fuzzies and along with that I act in an appropriate fashion and the longer I get to look at every element of my decisionmaking, why I am making those kinds of decisions, if you listen to the concept formations that these children have, they are utterly ridiculous to somebody on the outside. I mean, these children are not happy. They are not having a good time. Even if they do make $1,800 a month selling crack, they are not having a good time. They are depressed as hell. They simply do not see another way of doing it. They have been versed in one way of doing it. I know if I grew up in that neighborhood and had no father figure to deal with whether I would have been different. There is not a day that goes by that I do not feel like killing somebody or robbing a bank but I do not do it.

What this is, is forcing them into taking a look at why you want to do what you want to do. Tell me why a $145 pair of shoes is such a big deal to you. What is the reason? And we do not stop by just saying, "OK, you are not going to answer. Then you do not get any further. You are going to have to open up and talk to us. Or you do not get to go any further."

Senator THOMPSON. Are you saying that you can treat these 16-year-olds the way that they should have been treated when they were from 1 to 5? That you can do the same sort of thing and have an effect on them? Perhaps the same kind of effect that you would have on a child from 1 to 5?

Mr. WOOD. I believe beyond a shadow of a doubt that we can get 90 percent of them, as long as we also have coverage, which we do not have, but a sheltered living arrangement afterward because most—70 or 80 percent of the children are not going back to a good place to live, by any stretch of the imagination. So yes, I think we can get the vast majority of these.

This is not so much a reeducation. Most of these children are thorough. They have not been raised by anything except accident. They—but that does not excuse them. I am not saying that. I think they should be punished for every wrong thing they do, period. And that is exactly what this program does.

You step out of line and you get sanctions, period. I am interested in the reason that you did it. All I am interested in is you took the action. If you take the action, pay for it. If you want to rob, great idea, just be willing to pay for it. And that is what this unit says.

Senator THOMPSON. And you correctly pointed out that this concept and you have been in business for longer than just since this particular facility opened. Do you have a track record that you can look at—with any great certainty as far as recidivism. I would imagine that you can have successes in a lot of different ways. Obviously, criminal conduct or lack of it is a big one but it is not the only one. How much can we tell about how well this approach is working?

Mr. WOOD. It shows over a 6-year longitudinal study by Evaluation Resources which is a local corporation, an independent evaluation team, shows, I think, around 13 percent recidivism over a 6-year study.

And again, recidivism has only indicated as one thing, not whether or not the child is feeling better or acting better but only whether the child was rearrested or the child went back to that facility for emotionally disturbed children.

Senator THOMPSON. Did you say that you think that you can be a lot more effective if you had some follow up activities?

Mr. WOOD. Right now we have a year follow up program in which the same counselors that saw the child on an inpatient basis also sees the child on an outpatient basis. They go to the home. The day that the child comes under our unit, our counselor goes to the home to make an evaluation of that home environment and what needs to be done.

Also the education, what school is he going to be back into? We try to get him a job in that period of time. We try to train them in prevocational skills for a job. Sometimes what they really need, they need a sheltered area where they can be sat down where they do not have to deal with.

One instance, as you were discussing today, Mr. Ball, you were talking about 16 siblings, virtually all of whom had contacted juvenile court and this particular family has 68 contacts with juvenile court, to ask somebody to go back in, we see the child twice a week in group therapy sessions, even though the child has to call in every day and he has a curfew to start off with. He has to be in by 6 at night.

Still, if inside the home if somebody says, "Let's go do some drugs or let's go sell some——"

Senator THOMPSON. Or use the drugs at home. How is the center funded? Is this——

Mr. WOOD. It is funded by grants from the Edward Byrne Memorial Law Enforcement Assistance Program through the Department of Justice, Bureau of Justice Assistance, and the Tennessee Department of Health, Bureau of Alcohol and Drug Abuse.

Senator THOMPSON. You do not know how much is which? I need to check on that. I am very impressed. We are looking for ways that do things. And one thing we have got to do is go after the basics. I mean, what we have been doing is we have been dipping water out of the ocean with a small dipper and we have got to look at the hardworking people out there, young people who have never violated the law, earning money, paying taxes, to go to support these young people who you are trying to help.

And we have got to do that but they deserve some accountability as to how their money is being spent. The old days of just another program and another bureaucracy and another 1,000 people on the payroll and another few million dollars, you know, to have some people come up with some programs that may or may not work, may or may not have any track record. I think they are over.

Mr. WOOD. I hope you are right, Senator.

Senator THOMPSON. Sounds to me like we may be on something here that's an effective use of taxpayer's dollars.

Mr. Ball, to the same extent, I would ask you the same questions with regard to your program. Do you have any overview in terms of how to rate the effectiveness of what you are doing?

Mr. BALL. In terms of questioning the returning or reoffending individual, the measure or a measure in determining how successful a program may be. Our numbers over the course of the last 10 years here in Shelby County is that the first time offenders come through our program, 30 to 31 percent of them have reoffended.

Comparatively, this is probably better than nationally. So we feel that this is not as good as it could be and should be. Because we are a community based program, we have the opportunity of employing and bringing to the area and community resources that can benefit a child. This can be at mental health centers, prestanding vocational training programs that can be referred to and the student can work with.

So if you take this child in his community, utilize the resources of the community, you stand a far greater chance of success in turning the young person away from a life of violent crime.

Quite honestly, the children we see in a—if they are deterred from a life of crime, then they are beating the odds. And many of their environments—actively being in environments. So they may not be lawbreakers again. But their quality of life may not be as we know it. We as practitioners have come to realize that we really do not even know where the game is any more.

Traditional values and traditional means and working with people in trouble have failed. Even our values have failed. We were talking a little while ago in regard to what are you telling the child then when you say, "Well, you work hard and you go down the street and you get a job at Kentucky Fried Chicken making $4.25 an hour and your brother is selling drugs making $500 a day." That's tempting to many of them. It means supporting the family.

We are seeing patterns of family delinquency that we have not seen in the past. And that does not provide a child a structure by which he can have a quality environment. So I believe and we should adopt traditional means of approaching problems have to be given serious consideration to other means of finding solutions.

Senator THOMPSON. Well, I commend you for your frankness on the subject. I think we could all use a little humility and acknowledge just what you have. And that is that we really do not have the solutions except after the fact. I think more and more we have come to the realization that we have got to get involved earlier somehow.

Very young children, children before they are born to parents who are children. A lot of people are saying down here, "We have got a lost generation and maybe two lost generations." We might as well just wipe them off. You know, forget about them. And try to start over. That's a frightening prospect but we are not very good in this country at long term planning or long term solutions because there is not any immediate payoffs.

It is the next election, or for corporations it is the next quarter. And laying some groundwork that may not come into fruition until way down the road is a serious problem we have and that's what we are dealing with here. Joe Riley has to deal with state crime on a daily basis and yet he is hollering about root causes.

I mean, all you can do is all you can do as far as crime is concerned and you have these statistics. There are going to be these additional young people on the street. This is the good news. This is the good old days, today.

In years to come, you are going to be dealing with increasing numbers, and you are going to have more and more assistant district attorneys and you are going to have more and more police officers whether they are coming out of Washington or locally or whatever.

And you will keep up with it as best you can just as Ms. Coleman will, but it really does nothing to address the problem, does it?

Mr. PIEROTTI. No, sir. It does not. And what you said that this—I think back when I started. And we could get the whole staff of attorneys in an office to have a Friday afternoon meeting. Now, if I wanted to do that I would have used the auditorium over at the Justice Complex.

And we have got more people in the penitentiary, more people in the local jails and penal farms than we have ever had and we have got more and more resources. And just frankly, we are not only even with what we have had, we are just keeping our head above water. And let us open our eyes to this thing and work together in the long run. Spend some time in the cooperative effort to see that we can maximize what we do.

Senator THOMPSON. Are you dealing with juveniles? Your office deals with——

Mr. PIEROTTI. Yes, sir. We are seeing more and more juveniles, as I said, than we have ever seen before. And the ones we are seeing are so tremendously violent.

I am not talking about car thefts like we what we used to talk about. I am talking homicides, and very vicious crimes. And the individuals seem to have absolutely no remorse.

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Senator THOMPSON. Does the more serious punishment deter somebody like that?

Mr. PIEROTTI. Well, they get very serious punishment. I mean, a juvenile cannot be given the death penalty. However, we do not plea bargain in those very serious cases and these people get a light sentence. And that is the most we give them.

Senator THOMPSON. Ms. Coleman, we have covered a lot of territory here. I would appreciate your commenting on any or all of the above.

Ms. COLEMAN. Well, all of the observations that have been made, obviously, are on point. There are a couple of observations that I would like to add. Over the years in law enforcement, I have seen a change. And part of that change is the willingness on the part of law enforcement officers to say, "We cannot do this alone." It has not been that long, to be perfectly honest, because if you are a prosecutor or a police officer and you start talking about group causes people start beginning to think you are soft on crime. Now, people know John. People know me. They know we are not soft on crime but we also realize that the public has to play a part in getting rid of the problems that are the root causes of crime. And law enforcement officers are in the unique position to be sort of the lightning rod for the community to say, "We can do this together. But we cannot do it ourselves. We need your help." And I think that is what task forces do in terms of pooling resources. I think that is what community policing. I think that is what all these police officers and chiefs and sheriffs that are here today are saying, you know, to us. "We want to be a part of solving the problem. We want to be a part of the prevention. We want to put ourselves out of business, if you will, if that is possible." If we can show a community how to address some of these problems. But we cannot be substitute for parents either. And I think everybody recognizes that. Those initiatives and programs, whether it is State money or Federal money, that focus on the early stages of development, on parental training. When I was in juvenile court, you talk about several generations of persons who really—they are lost. You know, they have not had the same education that you and I had growing up. They do not have the same job opportunities. They may have had—you may see mothers at 45 years old who are really great grandmothers because at 15 they had a child and at 15 their child had a child, so at 45 years they are the great grandparent. So it is multiple generations of problems. We have to begin to really focus efforts at the early stages.

The other observation that I want to make about the testimony so far today, we really have focused on the child and the youth after they are in trouble. At 16 years old it's pretty much—it's not too late. But if I had to reallocate resources, if I had to say, "Here is a pot of money. How should we spend it?" I would focus most of the resources on the prevention and early childhood efforts. I would not say ignore these children because the kind of programs that Dr. Wood has are valuable programs. I do not think that we can just ignore these children. I think we ought to make the effort and try to get them on the right track. But I think I would focus on programs like a head start or intervention programs like family ties—people that go into the homes.

Senator THOMPSON. But you know, even Head Start, most of us think that Head Start is certainly one of the better things that has come down the pike. But I read some sources that indicate that after—it is like Dr. Wood was talking about in his situation—after a child leaves the home and has gone back and is not subject to Head Start again, they are kind of back at square one again. I mean, with regard continuation——

Ms. COLEMAN. Well, again, maybe part of the problem is we do not continue and follow through because a child who comes from a family who had a third grade education is living off welfare cannot teach the child how to write their name, their colors, their alphabet or what have you. So they cannot do it at the earliest level. By the time the child reaches third grade, they cannot help them there, either. So we're helping the child. There are also programs that need to focus on the education of the parent. And there are programs out there that do that, that encourage an adult to overcome the embarrassment of admitting that they cannot read and write. Those are complex issues, which is extremely difficult for a community to grab hold of.

You mentioned, you know, how difficult it is and people want things right away. Messages sent to the community, unless they are on a 30 second sound bite, they turn you off. And we have culturated ourselves. We do not want to hear a long message. We do not want to hear the complex problems. But I think that is the only way that we will actively arrest the problems. But I think law enforcement has gone a long way by going into the community, by touching base with the children. A Union City police chief is here, went into public housing units. A little boy, when they first set up a precinct there, looked at him, ran outside back home. The next day he came back. He came in and looked at the officers again, ran back home. And on the third day when he came back, he came back with a belt that had law enforcement on it. So, I mean, we have an effect on the street where they are every day. But again, we cannot be a parent. So, it is not a hopeless cause but it is a continual fight.

Senator THOMPSON. I understand. You mentioned about your office adopting Cypress Junior High?

Ms. COLEMAN. Yes.

Senator THOMPSON. It certainly looks like that the U.S. attorney's offices are branching out into areas that were unknown to me when I was in the U.S. attorney's office.

Ms. COLEMAN. This is purely volunteer. So I was very pleasantly surprised when my staff said they would love to be able to do this.

Senator THOMPSON. Well, that is wonderful. So it's totally a voluntary thing that——

Ms. COLEMAN. Absolutely volunteer. We actually had people participate in a basketball game. The adults won, saved face and won. We had lunch with them during our lunch hour. Some of our staff visited with them. We participated in the honors program. We will take some of the principal school-risk children to lunch as an award. We're doing a lot of different things.

Senator THOMPSON. I think we have already seen just from here today that volunteerism and local participation, there is no substitute for that.

Ms. COLEMAN. This is the volunteer State, and there is a good reason for it.

Senator THOMPSON. That is exactly right. I appreciate you. Well, I want to thank all of you very much. You are certainly to be commended here. You are dealing with after the fact and you are obviously doing an excellent job within the resources that you have. Maybe together we can get into some of these before the fact solutions, too, as we go along. But thank you very much for being with us here today.

Ms. COLEMAN. Thank you, Senator.

Senator THOMPSON. We appreciate the patience of this panel. We are running a little behind time but we have had some very, very interesting testimony.

Ms. Holden, would you like to proceed?

PANEL CONSISTING OF BARBARA HOLDEN, EXECUTIVE DIRECTOR, MEMPHIS AND SHELBY COUNTY COMMUNITY HEALTH AGENCY, MEMPHIS, TN; DAN MICHAEL, ADMINISTRATOR, COURT APPOINTED SPECIAL ADVOCATE, MEMPHIS, TN; BILLY CROUCH, COUNSELOR TEAM SUPERVISOR, TENNESSEE HOME TIES, MEMPHIS, TN; AND REV. CARL NELSON, CHAPLAIN, MARK LUTTRELL RECEPTION CENTER, MEMPHIS, TN

STATEMENT OF BARBARA HOLDEN

Ms. HOLDEN. Well, first of all, I want to say I am pleased to have the opportunity to be here. I want to begin by telling you something about the Community Health Agency because I think it has been important in terms of the structure that organization and some of the things that I am going to talk about that we are doing.

The Community Health Agency is a quasi-governmental agency funded by the State, but with a locally appointed board of directors. This board and the executive director position, the one that I hold, is appointed by Shelby County Mayor Jim Rout. The flexibility of this organization and the structure it allows permits us to do business under the fiscal supervision of the State without unnecessary bureaucracy and with local leadership.

I have been a Master's level social worker since 1968. And I tell you this, certainly not to disclose my age, but rather to let you know that I have a certain perspective on the problems we are dealing with today.

One thing I see that remains the same, however, as it did in the sixties. We, social workers, criminologists, all of us in the field, U.S. Senators, we continue to identify problems and social concerns. We design programs and tie government dollars to problems which are the most pressing at that time. It seems to make little difference that these programs repeatedly fail to make the gains that we hope to accomplish through them.

If I can make only one point today, I want it to be that we need more funding opportunities which allow for flexible and noncategorical programs at the community level. The local community must be a part of local solutions and the focus must be on prevention and early intervention.

The success of the prevention collaboratives that I want to discuss today are largely a result of flexible money—title IV–A for children in State custody or at imminent risk—community ownership and local support.

Judge Kenneth Turner, our juvenile court judge, has been behind our prevention collaboratives every step of the way using the power of the court to motivate and change behavior through court sentencing. Our child abuse prevention agencies have worked to respond to family needs as they arise rather than telling us they cannot afford to operate the programs we need. Providers for parenting classes have redesigned, rescheduled, rearranged to meet a range of our requests. Our community has learned to draw outside the line and respond to social problems one family at a time.

The core for the collaborative model we use is called wraparound. We design each plan according to the unique needs of the family. Each wraparound plan is based on the strength of the family, not on family weaknesses. We do not design programs and then make families fit them. Rather, we fit the programs to the families.

Referrals come to the CHA primarily through juvenile court, the board of education, and the department of human services. Children served are birth to 18 and are referred for a range of problems including dependency, neglect, physical, emotional, and sexual abuse, chronic truancy, and delinquency.

We see truancy as a gateway behavior leading to delinquency and chronic truancy—and I am talking about 30 to 90 days absent from school—as often masking very serious family problems. We have several intervention efforts which focus on truancy as the primary reason for referral. These initiatives have a strong case management wraparound focus, court-ordered parenting classes and we just added court-ordered personal responsibility classes for the children. For families which refuse to willingly participate, our juvenile court has ordered parenting classes and, if we do not get cooperation despite our many efforts, those parents have been incarcerated.

This carrot and stick approach: the case manager saying, "How can we help you?" and the Court saying, "The law requires you to be responsible for your minor child and their school attendance," has been a very effective combination.

Wraparound plans for the truancy initiatives and other referrals are as diverse as the families referred. These individual plans have included, along with much else, the following: A portion of cosmetology school tuition matched by the family; karate lessons for two little girls who were failing in school because they were so afraid of the bullies on the bus that they would not go to school; rent, food, utilities, and other essential clothing and items; a senior-class trip; appliances; a prom dress; home-based therapy similar to the Home Ties model; a Big Mac because the child had never eaten in a restaurant and we considered McDonald's a restaurant; musical instrument and lessons; bunk beds; counseling; mentoring; tutoring. And it is important that none of these items were purchased without the participation of the family and with some investment by the family, whether sweat equity or cash.

We have served in this program 1,711 families since November 1993. The average cost per family has been $870. Because we were able to keep these children in the community and out of State-paid placement, the total amount of money saved for the State of Tennessee is astronomical. Basing these figures on the least expensive level of residential care, savings to the State will approximate $19 million.

I have yet to meet a 5-year-old who is not salvageable. I also have yet to meet a family that has no strength. We do have a lot to work with in our community in prevention but we must shift our efforts and money from the chronic offender syndrome to early intervention and prevention solutions.

Thank you.

[The prepared statement of Ms. Holden follows:]

Youth Violence: "Local Solutions"
Prepared by: Barbara Holden, Executive Director for the
Memphis and Shelby County Community Health Agency
for the February 15, 1996, Hearing conducted by
Senator Fred Thompson

The Community Health Agency is a quasi-governmental agency funded by the State, but with a locally appointed Board of Directors. This Board and the Executive Director position is appointed by Shelby County Mayor Jim Rout. The flexibility of this organizational structure allows business to be conducted under the fiscal supervision of government without unnecessary and often restrictive bureaucracy and with local community leadership.

I have been a Master's level Social Worker since 1968. I tell you this - certainly not to disclose my age - but rather to put my comments into perspective. The problems of the 1990s bear little resemblance to those of three decades ago.

One thing, however, remains the same. We (Social Workers, Sociologists, Criminologists, and, yes, even U.S. Senators) continue to identify social concerns, design programs, and tie government dollars to problems which are the most pressing at the time. It seems to make little difference that these programs repeatedly fail to attain the outcomes we seek.

If I make only one point today, I want it to be that we need more funding opportunities which allow for flexible and non-categorical programs at the community level. The local community must be part of local solutions and the focus must be on prevention and early intervention.

The success of the prevention collaboratives I want to discuss today are largely a result of flexible money (Title IV-A for children in state custody or at imminent risk of coming into state custody), community ownership and support.

Judge Kenneth Turner, our Juvenile Court Judge, has been behind our prevention collaboratives every step of the way using the power of the Court to motivate and change behavior through court sentencing. Our child abuse prevention agencies have worked to respond to family needs as they arise rather than telling us they cannot afford to operate such programs. Providers for parent training classes have redesigned, rescheduled and rearranged to meet a range of requests. Our community has learned to draw outside the lines and to respond to social problems one family at a time.

The core for the collaborative model we use is called "Wraparound." We design each plan according to the unique needs of each family. Each wraparound plan is based on the strengths of the family, not on the family weaknesses. We do not design programs and then make families fit; rather, we fit the programs to the families.

Referrals come to the CHA primarily through Juvenile Court, the Board of Education and the Department of Human Services. Children served are birth to 18 and are referred for a range of problems including dependency, neglect, physical, emotional and sexual abuse, chronic truancy and delinquency.

We see truancy as a gateway behavior leading to delinquency and chronic truancy (30 to 90 days absent) as often masking serious family problems. We have several intervention efforts which focus on truancy as the primary reason for referral. These initiatives have a strong case management/wraparound focus, court ordered parenting classes and personal responsibility classes for the children. For families who refuse to participate, our Juvenile Court has court ordered parenting class attendance. If cooperation is not forthcoming, despite many case management efforts, as a last resort, parents have been incarcerated.

This carrot and stick approach: the case manager saying "How can we help you?" and the Court saying "The law requires you to be responsible for your minor child and their school attendance." has been a very effective partnership.

Wraparound plans for the truancy initiatives and other referrals are as diverse as the families referred. These individualized plans have included, along with much else, the following:

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A portion of Cosmetology School tuition matched by the family
Karate lessons for two sisters who were failing school
 because they were so afraid of bullies on the bus they refused to go to school
Rent, food, utilities, essential clothing
Senior class trip
Appliances
A prom dress
Home-based therapy similar to the Home Ties model
A Big Mac because the child had never eaten in a restaurant
Musical instrument and lessons
Bunk beds
Counseling
Mentoring
Tutoring

None of these items were purchased without the participation of the family and with some investment by the family and child - whether "sweat equity" or cash.

1,711 families have been served in the program since November 1993, at an average cost per family of $870.00. Because we were able to keep these children in the community and out of state paid placements, the total amount of money saved for the State of Tennessee is astronomical. Basing these figures on the least expensive level of residential care, savings to the State of Tennessee is $18,971,877 to date.

I have yet to meet a five-year old who is not salvageable. I also have yet to meet a family with no strengths. We have a lot to work with in prevention. We must shift our efforts and money from the "chronic offender" syndrome to "early intervention and prevention" solutions.

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The Memphis and Shelby County Community Health Agency

The Flexible Funding for Families is a State of Tennessee Prevention initiative following the John Vanderberg Wraparound model. This model is family strengths based individualized. Shelby County has used this program on a case by case basis to address youth violence.

FISCAL YEAR 93/94

TOTAL BUDGET:	$300,000.00
TOTAL #SERVED:	553
AVERAGE SPENT PER CHILD:	$542.50

Breakdown of total served:

Number of Reunification/Step Down/Children entering Custody: 128
Number of Noncustodial Children Using FFF: 415
Number Noncustodial FFF children entering custody: 10

Placements avoided by using Flexible Funding for Families instead of placing child in custody:

	Number of Children	Traditional Avg. Cost	Amount Saved
Level I	442	3,182,420	3,152,420
Level II	55	1,089,000	1,059,000
Level III	55	1,980,000	1,264,000

FY 93/94 TOTAL SAVED from PLACEMENTS AVOIDED: $5,475,420

TRUANCY COLLABORATION WITH JUVENILE COURT

TOTAL FLEXIBLE FUNDING SPE	$142,968.00
TOTAL #SERVED:	259
AVERAGE SPENT PER CHILD:	$552.00

Breakdown of total served:

Placements avoided:

	Number of Children	Traditional Avg. cost	Average Saved
Level I	308	$2,127,600	**$2,157,848**
Level II	0		
Level III	0		

FISCAL YEAR 94/95

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FISCAL YEAR 94/95

TOTAL BUDGET:	$665,000
TOTAL #SERVED:	838
AVERAGE SPENT PER CHILD:	$793.00

Breakdown of total served:

Number of Reunification/Step Down/Custody children using FFF: 181 or 22%
Number of NonCustodial children using FFF: 657 or 78%
Number NonCustodial FFF children entering custody: 22 or 3%
Average spent per child: $793.00

Placements avoided by using Flexible Funign for Familis instead of placing child in custody:

	Number of Children	Traditional Avg. Cost	Amount Saved
Level I	650	4,680,000	**4,164,186**
Level II	96	1 900,800	**1,824,618**
Level III	89	3,204,000	**3,133,373**

FY 94/95 TOTAL SAVED from PLACEMENTS AVOIDED: $9,122,177

TRUANCY COLLABORATION WITH JUVENILE COURT

TOTAL FLEXIBLE FUNDING SPENT:	$o0,000.00
TOTAL #SERVED:	308
AVERAGE SPENT PER CHILD:	$:94.00

Breakdown of total served:

Placements avoided:

	Number of Children	Traditional Avg. cost	Average Saved
Level I	308	$2,127,600	$2,157,848
Level II	0		
Level III	0		

FISCAL YEAR 95/96

TOTAL BUDGET:	$152,227.90
TOTAL #SERVED:	403
AVERAGE SPENT PER CHILD:	$377.74

Breakdown of total served:

Number of Reunification/Step Down/Custody children using FFF: 125
Number of NonCustodial children using FFF: 266
Number NonCustodial FFF children entering custody:12

Placements avoided by using Flexible Funding for Families instead of placing child in custody:

	Number of Children	Traditional Avg. Cost	Amount Saved
Level I	322	2,318,400	2,288,400
Level II	40	792,000	715,880
Level III	40	1,440,000	1,370,000

FY 95/96 TOTAL SAVED from PLACEMENTS AVOIDED: 4,374,280

TRUANCY COLLABORATION WITH JUVENILE COURT

TOTAL FLEXIBLE FUNDING SPENT:	20,000.00
TOTAL #SERVED:	104
AVERAGE SPENT PER CHILD:	$192.00

Breakdown of total served:

Placements avoided:

	Number of Children	Traditional Avg. cost	Average Saved
Level I	192	$1,382,400	$866,400
Level II	0		
Level III	0		

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The average client profile that we have seen in this agency are girls age 14-15 with unruly behavior and runaway problems and with boys age 14-16 with delinquent behavior. Caseloads runs the gammet of problems from teenage pregnancy to mental retardation. But with FFF funding and community resources casemanagers are usually able to put together services that would meet every clients needs, no matter how difficult or complex the situation.

Below are a few of our agency success stories:

Success Story #1

Flexible Ffunding for Families provided to stabilize needs for 18 year old mother and her 2 month old baby, who was homeless and unwanted by relatives. She demonstrated appropriate bonding and mothering skills, but had no resources. Funding provided two months rent in a garage apartment, baby clothes, car seat and supplies. Casemanagement intervention included finding mother a job, child care, application for benefits and reconciliation with her family in California. Mother and family were able to put aside old conflicts and mother was provided transportation assistance for return to California.

Success Story #2

Flexible Funding for Families provided home based services for 90 days to provide family support for a hyperactive, aggressive child. His younger brother was also presenting the same behavioral problems in school. Mother was a victim of continuing boyfriend abuse. She had poor self esteem, a dysfunctional family, poor resources responsibility for her children and a dying mother in home. Mother attempted suicide during intervention. Childcare with relatives was arranged while the grandmother was in the hospital. Case Monitoring continued after her hospital discharge, including family counseling and children's school attendance monitored. Mother became less depressed, using practical, more effective parenting skills and sought counseling for victimization problems. The family acheived better family functioning and children began doing better in school

Success Story #3

Flexible Funding for Families provided home based services for 90 days to provide family support for a 14 year old boy trying to withdraw from gang activity. The boy was truant and had poor grades. After the intervention, he attended school regurlarly and received passing marks on his report card. He became a starting member on the school's basketball team.

Success Story #4

ACCT received a referral on a 17 year old female because of unruly behavior, habitually disobedient and a runaway at risk of being taken out of the home and placed in state custody. After assessment by the casemanager the entire family was referred to Southeast Mental Health Center with FFF funding for group and individual counseling. Goals were set and agreements were made. All sessions were attended by family and client did not run away again, the father was able to have a manageable relationship with his daughter at home. After turning 18, daughter moved away from home and secured her own residence. Father reports he still has communication with his daughter and she is doing well.

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Senator THOMPSON. Thank you very much, Ms. Holden.

Mr. Michael, you have an excellent statement here. You might want to summarize it.

STATEMENT OF DAN MICHAEL

Mr. MICHAEL. That is what I am going to do.

It might be interesting to know that CASA is an organization began as a direct result of Federal mandates under the OJJDP and the CASA Act. The guidelines that were promulgated required that a guardian ad litem be appointed for every child in every State who is alleged to have been abused or neglected. The result of that promulgation would have put, I think, an undue burden on most States in an attempt to hire and pay the fees of guardian ad litems. Back when the rule came down, most States used private individuals as guardians. Today, many jurisdictions require that you be a licensed attorney to be a guardian.

Back in 1976, a very forward thinking juvenile court judge out in Washington called private volunteers in and the CASA organization was formed. Today, in the United States, there are over 600 independent chapters of court appointed special advocates. We serve in juveniles courts and in civil courts involving some hostile custody cases, abandonment cases, terminations of parental rights, abuse, dependent, and neglected children.

Total volunteer efforts nationwide today is about 37,000 volunteers. It pales in comparison to the number of children who need representation. Today in the United States, over 500,000 children are in foster care. The projections are that by the turn of the century, there will be closer to a million. We have 37,000 volunteers to represent these children. Now, the benefit of the program, as a result from the Federal mandate, is that we have had to be creative on a local level due to funding limitations.

Memphis and Shelby County CASA was created under the auspices of Juvenile Court Judge Kenneth Turner back in 1986. We began with a very small staff of one and a half staff members and about 15 volunteers. Through the efforts of the court, through collaborative efforts with other agencies like CHA, the Tennessee Department of Human Services, the Tennessee Department of Finance and Administration, other agencies such as the Exchange Club, CASA has run to its current staff of nine, which includes four social workers, two attorneys, and four staff support people.

Now, that is to underscore the fact that we have trained over 700 volunteers in the last 10 years, and today have an active volunteer base of over 200. These people are a cross section of our community. They represent homemakers. They represent professional people. They represent students. They represent the retired community. They come to CASA and receive their training for one reason only. They are concerned about the future and to them the future are children. The average age of the child that a CASA volunteer will represent is 6 years. So we are in there when they are young. Very few of our children have been charged with delinquency. We operate in the realm of pre-delinquency.

The children we are dealing with are coming from families that are so seriously dysfunctional that their future is bleak. A CASA volunteer takes an assignment and makes a commitment to that child over the life of that case, be it a matter of adjudicating custody in juvenile court or a matter terminating parental rights. CASA of Memphis and Shelby County today serves about 1,000 children a year. We do that through private source funding and through partnership with the OJJDP and the Tennessee Commission on Children and Youth.

They are a portion of our budget right now. In hard dollars, it is about 50 percent of our overall budget. But when you factor in the balance of volunteer hours, last year our volunteers donated 20,000 hours in community service, for a savings of approximately $2 million. It is an effective program that serves children at risk in the community.

Thank you.

[The prepared statement of Mr. Michael follows:]

PREPARED STATEMENT OF DAN MICHAEL

I. INTRODUCTION

Court Appointed Special Advocates of Memphis and Shelby County Inc. recruits, trains and manages volunteers who advocate for abused, abandoned and neglected children in Shelby County courts. It currently operates four Programs which serve over 1000 children annually. CASA began in 1986 under the auspices of Kenneth Turner, Judge of the Memphis and Shelby County Juvenile Court. Its original mission was to speak for the best interest of abused and neglected children in Juvenile Court proceedings through trained CASA volunteers. At the request of the Judges and Chancellors of Shelby County, CASA extended its Advocacy Program in 1989 to serve children of divorce. In 1993 the number of children in foster care reached critical proportions in our County. CASA in collaboration with the Juvenile Court, the Tennessee Departments of Human Services (TDHS), Finance and Administration and Health expanded its Programming to include Permanency Planning services for children in foster care. In 1994 the lack of temporary shelter for children coming into foster care also reached critical proportions. In response, CASA began its Emergency Shelter Program which provides over 80 volunteer homes for children in need. In 1995, CASA, with a grant from with the United States Office of Juvenile Justice and Delinquency Prevention (OJJDP) and in collaboration the Tennessee Commission on Children and Youth (TCCY), the Tennessee Department of Human Services and the Memphis and Shelby County Foster Care Review Board, began its Early Intervention Program to assist minority youth in breaking free from the bonds of foster care.

The majority of children who enter the legal and social welfare systems through divorce, foster care, or abuse, have little or no voice in their future. The Tennessee Commission on Children and Youth and local Juvenile court statistics indicate that annually over 8000 children become involved in Shelby County's legal and social welfare systems. Today over 2000 children are in foster care in our County. CASA, by providing a voice to children through trained and dedicated volunteers can increase the number of children whose best interests are fairly represented to those deciding a child's future. The alternative is abandonment to crowded court dockets and an over burdened social welfare system.

II. PROGRAMING

CASA of Memphis and Shelby County, Inc. is a not for profit foundation under I.R.S. code section 501(c)(3). The Board of Directors is the governing body charged with the responsibility of "[carrying] out the aims and purposes of this corporation, promoting its programs, and managing and controlling all of its property and assets." The Board is composed of eleven community and business leaders: seven women and four men, consisting of two accountants, one corporate attorney, one attorney in private practice, a financial manager, a public relations/marketing specialist, four community volunteers (including representatives from the Junior League of Memphis and the National Council of Jewish Women) and a representative from Juvenile Court. All board members are volunteers.

a. Advocacy

CASA's Programs are identified by the children they serve. The Advocacy Program serves children who are alleged to be abused, dependent and neglected. This includes any child in Juvenile Court or divorce court where such allegations may arise. CASA volunteers, with over 40 hours of state required training, are assigned by a judge to conduct an intensive investigation into a child's circumstances. Appointed as "guardian of the person" to act on behalf of a child, the CASA volunteer will counsel and confer with the child, the child's parents or caretakers, extended family, neighbors, social workers, ministers, teachers, psychiatrists, psychologists and any other person that has knowledge pertaining to the welfare and best interests of the child. The CASA volunteer then makes reports and recommendations to the court concerning the welfare of the child.

In 1995 over 4800 children entered Memphis and Shelby County Juvenile Court abused or neglected. Another 4000 children found themselves in Shelby County's divorce courts. The Advocacy Program serves approximately 700 of those children annually through the services of 250 CASA Volunteers. In 1995 those volunteers donated over 20,000 hours to our community with an estimated value of $1,900,000.

The Advocacy Program employs three social workers, a secretary and Program coordinator. CASA social workers are titled as Volunteer Coordinators and have the responsibility of directing the work of the CASA volunteers. The Program Coordinator is a paralegal, who shares her time with the Permanency Planning Program. She facilities case assignment and Program management. CASA volunteers are recruited and trained by members of the Advocacy staff each quarter. Approximately 100 new volunteers are trained annually.

b. Emergency Shelter Care

The Emergency Shelter Care Program serves children in need of temporary shelter. These children may be abandoned by their parents, abused by a caretaker or have a parent arrested and simply have no where else to go. By law such children must come to Juvenile Court and approximately 750 children a year appear under such circumstances. In 1994 there was a critical shortage of emergency shelter homes. Judge Turner turned to CASA for assistance. Through its efforts, CASA received over 400 applications from volunteers willing to open their homes to needy children. Of those over 80 homes were certified to provide temporary emergency shelter for children. This Program is housed within the Advocacy Program and run by a staff Volunteer Coordinator. Once a volunteer home is certified through this Program that home is turned over to Juvenile Court for management.

c. Permanency Planning

CASA's Permanency Planning Program serves children in foster care who can never go home again. Today over 2000 children are in foster care in Shelby County. Of those 30% will never go home. Those 600 children will either grow up in foster care or be adopted. In a collaborative effort involving CASA, Memphis and Shelby County Juvenile Court, the Tennessee Departments of Human Services, Health, Finance and Administration and the Foster Care Review Board the CASA Permanency Planning Program was developed to serve these children. Through a fully funded state grant CASA added four additional staff members: a Program director (licensed attorney), volunteer coordinator, (social worker) paralegal and administrative assistant. Permanency Planning accepts referrals from the Foster Care Review Board and the Department of Human Services. With the assistance of CASA volunteers, the staff then investigates the child's circumstances to determine the best permanency plan for that child. If adoption is in the child's best interest the staff attorney will petition the Juvenile Court to terminate the parental rights of the child so that they may be freed for adoption. To date, the Permanency Planning Program has served over 350 children freeing over 130 for adoption.

d. Early Intervention

The Early Intervention Program serves minority children entering foster care for the first time. Of those children in foster care in Shelby County approximately 83% are minority children. The Federal government through the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has labeled minority over-representation in foster care as a serious social dilemma. CASA, with a grant from the OJJDP, began its Early Intervention Program in October of 1995. A licensed attorney was hired as Program coordinator and is responsible for representing children identified to this Program. Referrals are received from Child Protective Services at Juvenile Court. The purpose of this Program is to prevent prolongation of foster care by identifying at risk children upon their entry into the foster care system. Legal services are then provided to move children quickly out of foster care and into permanence.

III. NEED

The statistics are sobering. CASA compiled these numbers from the Memphis and Shelby County Juvenile Court, The Circuit and Chancery Court Clerks of Shelby County, the Tennessee Department of Human Services (TDHS), the Tennessee Commission on Children and Youth, and the Office of Juvenile Justice and Delinquency Prevention. In 1994 TDHS received over 11,000 reports of abuse and neglect. Of those, 60% were substantiated. In that same year 4866 children passed through Memphis and Shelby County Juvenile Court who were either abused or neglected. Today over 2000 children are in foster care in Shelby County. Approximately 30% of those children will never return home. These 600 children will either be adopted into loving families or grow up in foster care. Nationally, a child averages 18 months in foster care, in Shelby County the average is closer to 4.5 years. And as the numbers in foster care rise the availability of suitable foster homes dwindles. Last year the result was a critical shortage of emergency shelter for children. Approximately 750 children came into Juvenile court in need of emergency shelter because of the lack of foster homes. Children of divorce are also on the rise. According to both the Circuit and Chancery Court Clerk's records between 1992 and 1994 approximately 10,000 divorces were filed in Shelby County. Of those cases over 61% involved the custody of children.

Whether one is a child of divorce whose parents struggle through clouds of anger and pain to protect themselves, or a child whose left to linger for years in a foster system with little hope for family and permanence, or a child whose broken bones, bruises and empty stomach becomes evidence in a court room, the question must be asked: Who speaks for that child? Is it the Parent? Parents have attorneys, experts, friends and others as proponents for their position. And although they may proclaim their child's best interest, their judgment can be blinded by emotion. The Social Worker? The Federal Adoption Assistance and Child Welfare Act requires social workers, who are frequently burdened with massive caseloads, to represent the family first. The Attorney? The attorney is a paid advocate for his client. The Judge? Tennessee law requires that judges "shall hear the child's preference in matters of custody," if the child is 12 years of age or older. That same law also allows the attorneys clerks, court reporters and bailiffs to attend and participate in that interview. Children are left with the divided loyalty of parents and system professionals. Judges must wrestle with making Solomon like decisions based on information frequently obtained from a short interview with a child. Again, who speaks for the child?

CASA Advocacy is designed to provide a voice for children in court who find themselves the subject of legal proceedings resulting from abuse, neglect or divorce. All components of the Program, staff selection, staff training, volunteer recruitment, volunteer training and the direct involvement of children and families, aim toward this goal.

Volunteer Training

CASA volunteer training occurs every quarter and contains 40 component hours. The volunteer must complete and pass the application process before training. In order to assure quality representation of the children served, each volunteer must complete 16 hours of classroom instruction in the following areas: Introduction to the Legal System, Roles and Responsibilities of the CASA Volunteer, Cultural Awareness, Dynamics of Child Abuse and Neglect within the Family, The Child and Permanence, Permanence and the Law, Communication and Information Gathering, Juvenile Court/Foster Care Process, Advocacy Skills, and Survival Skills. Instructors include CASA staff, Juvenile court staff, Department of Human Services personnel, Community Health Agency personnel, professional staff from LeBonheur's Center for Children in Crisis, members of the Memphis Bar Association's Family Law section and professionals in child development and family mediation. The volunteer must also complete four hours of courtroom observation to be divided equally between the Juvenile and divorce courts. Upon the completion of their classroom training the volunteer is then paired with another and together they must complete a minimum of 20 hours in a practicum. The practicum involves an actual case assignment that is closely monitored by the volunteer coordinator to assure quality representation. Specifically, volunteers must contact the child within 48 hours of accepting an appointment and then conduct an "intensive investigation" as called for in the Order of Appointment. Pursuant to T.C.A. #37-1-149(b)(2), the volunteer owes a statutory duty to the court: "(t)he (CASA) shall conduct such investigation and make such reports and recommendations pertaining to the welfare of a child as the court may order or direct." Other policies which the CASA volunteer must follow: maintain complete written records about the case; report any incidents of

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child abuse or neglect; determine if a permanent plan has been created for the child, and whether appropriate services are being provided to the child and family. All CASA volunteers are prohibited from providing direct services to the child or family which could lead to a conflict of interest or liability. Volunteers are evaluated by the staff annually. Dismissal of volunteers occurs if one violates CASA or court policies. Volunteers are recognized and thanked through correspondence and appreciation events (such as a Valentine's lunch) annually as well as a personal invitation to the Juvenile Court annual volunteer recognition breakfast and presentation of certificates of appreciation.

Current / Future Funding

CASA is housed in Juvenile Court, receiving free space, utilities and phones, valued c.$30,000 per year. During the last several years, CASA has worked to broaden its base of support through grant requests and contracts. The Permanency Planning Program is totally supported by a contract with the State of Tennessee Department of Health, $150,000 this year (budget attached). That Program also receives approximately $25,000.00 annually in in-kind services from The Daily News and its owner Peter Schutt.

CASA's newest program began in October 1995 with a grant from the OJJDP. The Early Intervention Program targets minority youth who enter foster care for the first time. The program provides oversight to the system to assure that these children do not languish in care.

The Advocacy Program enjoys a broad base of support. The Junior League of Memphis has supported the Advocacy Program in a 4 year commitment ($22,000 for FY '93, '94; $11,000 for FY '95, '96. The Tennessee Commission on Children and Youth provides a total of $25,000 annually ($10,000 through Juvenile Court and $15,000 directly). As a designated agency, CASA Advocacy receives $4,000 annually from donors to the United Way Combined Federal Campaign. In collaboration with several social service agencies (the Exchange Club, the Parenting Center and LeBonheur Center for Children in Crisis) CASA will receive 15 volunteers and $27,000 this year through the AmeriCorps project. Other recent grants include $1,250 from the National Council of Jewish Women, $1,500 from United Way of the Mid South's Youth Fund, and $7500.00 from the Tennessee Bar Foundation's IOLTA fund. During December 1995 a major effort was made for year end contributions solicited by the Board of Directors. Over $8,000 was raised from individuals (an increase of $6,000 from the previous year). In 1992, $50,000 was contributed by a donor to establish a permanent endowment fund for Memphis CASA with the earned interest to be used as determined by the Board of Directors. Earned income includes fees collected from Circuit and Chancery Court cases, we expect $6,000 this year.

DAN H. MICHAEL

EMPLOYMENT

Legal

Court Appointed Special Advocates of Memphis and Shelby County Inc.—August 1993 to Present, Court Appointed Special Advocates, Shelby County Juvenile Court, Memphis, Tennessee. Responsibilities; Executive Director, legal counsel, responsible for the all operational aspects of the organization.

Law Clerk—December 1992 to July 1993, Michael A. Dennie, Attorney. Responsibilities: research and drafting. Concentration in criminal matters.

Juvenile Defender—August to December 1992, Shelby Countryy Juvenile Court, Memphis, Tennessee. Defense advocate for juvenile offenders. Served as both defense council and prosecution in delinquency hearings. Memphis State University School of Law, externship.

Private sector

President—Michael & Michael Inc., Memphis, TN. 1976 to 1993, management of Michael's Exxon/Amoco; 1981 to 1985 Bluff City Off-road & Auto. Development/management of automotive repair and retail parts facility.

Host—"The Auto Show". WMC 79 AM, February 1991 to May 1993. Coordination and production of a weekly two hour "call-in" radio program offering consumer oriented automotive advice.

INDUSTRY AFFILIATIONS

T.R.G.D.A. Representative to, Shelby Association of Food and Fuel Retailers, 1990 to 1992. Development implementation and maintenance of industry safety standards through industry and political affiliations.

President, 1981–1987, Memphis Chapter, Tennessee Retail Gasoline Dealer's Association, (T.R.G.D.A.). Representing Memphis association members in the Tennessee legislature.

Board Member of the T.R.G.D.A., 1981–1988, developing legislation and support for industry bills and monitoring of legislative progress.

COMMUNITY SERVICE

1989 to 1994, Assistant Scout Master, Committee Chairman, Eastern District, Chicasaw Council, Troop 334, Advent Presbyterian Church.

1985 to 1989, Cub Scout Leader, Eastern District, Chickasaw Council, Troop 334, Advent Presbyterian Church.

1988–1990, Chairman, Nelson Woods. Development and construction of a multi-use facility to provide community based, ecumenical programs, aimed at improving local community relationships.

1970–1974, Board of Directors, Highland House. Drug crisis intervention center.

1969–1974, Volunteer staff counselor, Memphis House. Drug crisis intervention and rehabilitation.

EDUCATION

Legal: J.D., Cecil C. Humphrey's School of Law, Memphis State University, Memphis, Tennessee. May 1993 Graduate.

Honors: Am Jur—Trial Advocacy. Am Jur—Criminal Procedure II. Am Jur—Law & Science. Chairman, Honor Code Development Committee. S.B.A. Representative, Faculty Tenure Committee.

Graduate: Memphis State University, Individual Studies, Ethics. M.A. candidate, Spring 1995.

Undergraduate: Memphis State University, B.A., History; Minor, Philosophy, 1976. cum laude, Deans' List 1975–1976.

Senator THOMPSON. Thank you very much, Mr. Michael.

Mr. Crouch.

STATEMENT OF BILLY CROUCH

Mr. CROUCH. Good afternoon, Senator, and thank you for allowing us to take part in this very important hearing and giving us a chance to talk about family preservation services that we provide through the Frayser Family Counseling Center and the particular impact that those programs have on youth violence.

I want to first briefly describe this program that we offer, then I will talk about the people that we serve. I will be talking about a success rate and our costs and then how we achieve the success that we do.

Frayser Family Counseling Center is a private, nonprofit community mental health center. We have basically four programs under what we call the Family Focus. That is Tennessee Home Ties, the Life Coach Program, the Home Works Program and Family Respite. Then we have approximately 25 therapists that work fulltime across these programs.

The programs are all built on the same model and it is an educational skills-building model with a belief that most persons want to improve their lives and will improve their lives if given the opportunity and the skills to do so.

Our goal is to increase the understanding of each client, the understanding of their own personal power and their personal potential and to teach them skills necessary to take control of their lives and to take control of their families.

We serve all of Memphis and Shelby County. We get most of our cases referred from juvenile court and the Department of Human Services and Community Health Agency. We served some 500 families last year. The families are referred to us usually because of child abuse or child neglect or the fact that the children are beyond the control of the parents. We work with the ages from birth to 18 years of age, and we are frequently referred cases where the children have been born and have not yet left the hospital.

Home Ties is actually the oldest of these programs that has been in existence since 1989 and at this point is a State mandated program to every community in the State of Tennessee and it is State funded.

I want to talk a little bit about it because we have stats on that program. Home Ties only works with children that are at imminent risk of removal from their family. That means that they are within 5 days of being taken out of their family and put in State placement, whether it is foster care, juvenile detention, or some other type of group home.

We are contracted in Shelby County to serve 378 of those families each year. Our goal is to keep those families intact, to keep those kids from going into State custody. The State measures our success rate by the number of families that are still intact 6 months after we close their case. The statewide goal is 70 percent. In the first 3 years of Home Ties, statewide the success rate in 6 months was 79 percent and success rate after 1 year was 69 percent. Sixty-nine percent after 1 year were still with their parents in their homes. The families are being empowered so they can stay together.

In Shelby County in the past year, we had an 86 percent success rate. That comes down to actually 537 children in Shelby County that were diverted from State placement, that were able to stay in their home in their community.

In 1992, the UT Department of Social Work, the Office of Research, provided us with some information. They said the average across the State placement was $10,000 per child. Take out what Home Ties cost. You are looking at $7,000 cost avoidance. If you are looking at 537 children that were diverted from State placement this past year, you are looking at over $3 million in cost avoidance.

I think what makes us successful is a very unique approach. Our therapists work with only one to two families at a time. They are in that family's home an average of 10 to 12 hours per week and all the work takes place in the home, not in an office. It's in the community. The therapist is on call to the family 24 hours a day, 7 days a week. Mostly, we approach the families with respect. We partner with them and we use creative practical teaching, basic life skills, communication skills, child management skills. We are in there as a partner with them to give them the new skills that they need to succeed.

I think we are mainly successful with families because families truly want to be successful and they just need the opportunity and the skills and they need those as early as possible.

Thank you.

[The prepared statement of Mr. Crouch follows:]

PREPARED STATEMENT OF BILLY CROUCH

Frayser Family Counseling Center currently provides a continuum of home based family preservation services known as the "Family Focus Program." This program serves all of Memphis and Shelby County and includes the Tennessee Home Ties Program, the Life Coach Program, the Home Works Program, and the Family Respite Program. These programs vary in the intensity of intervention they offer but each strives to strengthen and empower the families of our community.

A basic belief shared by these programs is that all persons strive to improve their lot in life to the best of their understanding and ability. Participation in our programs is voluntary and we approach each family in a non-authoritarian, respectful manner, while offering to teach them new skills to improve their life situations. We engage the family in their neighborhood, in their home. We use creative teaching methods, constantly adapting to the needs of the family. A small sample of life skills that we teach include Communication Skills, Stress Management, Problem Solving, Child Behavior Management, Conflict Negotiation, and Self-Esteem Building.

Our most intensive home based program is Tennessee Home Ties. Frayser Family Counseling Center has provided Home Ties services since the program was initiated by the State of Tennessee in 1989. The Center's current contract with the state allows us to serve a total of 378 families each year. Funding comes from the State at no cost to the families served.

Home Ties is a true "family preservation" program, in that the families served are those whose current family crisis, if left untreated, will result in an out-of-home custodial placement of one or more of that family's children. Only children identified as being at "imminent risk" of removal are eligible for Home Ties services. Imminent risk means that the process of removal will begin within five days. Our goal is to provide these families with the skills necessary to successfully deal with their current crisis and avoid similar crisis in the future.

Home Ties therapists are available to each family 24 hours per day, seven days per week. Therapists typically serve only two families at a time due to the intensity of services, and work with each family four to six weeks. During that time the Home Ties therapist may "wear many hats." They may serve as family counselor, case manager, mentor, and teacher. They may serve as an advocate and liaison for the family to the school system, the juvenile court system, and the social services and welfare systems. The therapists frequently help with very basic needs such as housing, transportation, utilities, and clothing.

Families are referred to the Home Ties Program from a variety of sources. Following is a listing of referral sources and the percentage of total referrals from each source during the fiscal year ended in June, 1995.

53%—Tennessee Department of Human Services
25%—Community Health Agency ACCT Teams
16%—Juvenile Court
03%—Tennessee Department of Youth Development
02%—Tennessee Department of Mental Health

We serve children of all ages, sometimes beginning work with the parents of newborns before they leave the hospital. Twenty-four percent (24%) of the children served last fiscal year were under the age of 5 years.

The State of Tennessee measures the success of the Home Ties Program by the number of families served who remain intact for at least six months following case closure. The state wide goal is 70%. The Memphis/Shelby County Home Ties Program had a success rate of 86% last year. Specifically, our Home Ties Program diverted a total of 537 Shelby County children from out-of-home placement in fiscal year 1994–1995.

As noted above, the Frayser Family Counseling Center also offers the Life Coach Program and the Home Works Program. Each is designed along the same home based intervention model as Home Ties but vary in client eligibility criteria, and intensity and duration of services. They bolster the continuum of services by serving families at all levels of disruption and not just those identified as at imminent risk of placement. They have few restrictions on the length and intensity of services except as requested by the family or referring agency. They also have fewer restrictions (such as working with serious assault cases) on the types of family problems they can work with. These programs are unique in their flexibility to meet a family's, or referring agencies, specific needs.

Life Coach and Home Works have been operational for approximately 21 months. Since their inception they have served over 200 families. Referrals come from some of the same agencies that refer to Home Ties but services are reimbursed on a fee-for-service basis. ACCT Teams have utilized their "Flexible Funds for Families" to reimburse for services. DHS has utilized Form 11 Children's Plan dollars. One

TennCare company has agreed to reimburse for services, but most insurance companies remain hesitant to pay for prevention services.

Frayser's Respite Program has been in operation some five years and is designed to give temporary relief to families and caregivers of children with severe behavior problems. These services may include outings with these special needs children or care of the child while the parents take time for themselves. Respite Consultants also teach general parenting skills and behavior management skills. By providing parents support and respite from the day-to-day stress of caring for special needs children, they are re-energized to better provide for their children.

Home-based and community-based family preservation services, as provided by Frayser's Family Focus Program, are a crucial component of an effective continuum of care for children and their families. These programs are much less expensive than an out-of-home placement, both in terms of immediate dollars saved, and in terms of loss to the family and community. The impact of these programs is extremely positive, far-reaching and long-lasting. It is our firm belief that the positive empowerment of the "family" is our community's, and our nation's, best hope for an improved future.

Senator THOMPSON. Thank you very much, Mr. Crouch.

Mr. Nelson, pleased to have you with us.

STATEMENT OF CARL R. NELSON

Mr. NELSON. Same here.

Senator Thompson and distinguished committee members and staff, I am Rev. Carl Nelson. I serve as Chaplain of the Mark Luttrell Reception Center here in Tennessee, Shelby County. I am truly honored that one of the Nation's most esteemed Senators has requested my input in the most crucial data gathering process.

Senator, I work everyday of my life with this problem that you have pledged to study and, hopefully, improve. The core idea that I have come here to offer is the creation and implementation of humane, market-directed boot camps that will teach our youth the price of their behavior yet ultimately strengthening them to recognize to build upon their opportunities locked within themselves.

We must remember that today's youth are far too sophisticated with the context of media images and that they are angry over their perceived place in society, which they feel is perceived to them despite their innate talent or aspiration.

I would like to see boot camps instituted with the full range of society's rules and benefits and capitalized and formatted to teach young offenders the choice between paying the price or reaping the benefits of their personal behavior.

I hope that my suggestion does not sound too harsh because even from my experience, I can tell you that today's youth, the so-called lost generation or Generation X, still offers hope, benefits, productivity and, yes, even civic pride and neighborhood love if this great Nation so desires and demands.

I would close by offering a bit of my background as proof of my belief that today's youth is simply unchartered productivity. I work with, have fed, compromised with, counseled, and have made peace settlements with some of the area's most determined gang members and recruit candidates. My family has been personally brutalized, for my brother, before Christmas, was shot through the heart and murdered by gang members, and my fiance was raped back in 1990. I personally have twice been injured by gunshot blast and it is only by the grace of God that I have escaped at least two other murder attempts just this past year.

All of this mayhem directed upon myself and my loved ones by youth entrapped by gang culture but I can promise you that our youth are worth redirecting. Do not just worry about them.

Senator Thompson, sir, your work can keep them from throwing their lives away. Even with my meager resources, I have been able to subvert more than a few gang members from their dangerous past and can modestly recount several instances where gang members were disciplined for disrespecting and threatening me. Today's youth are becoming tired of seeing the color red and seeing that they would say and also from that same school called—and they are getting ready to put a program on this Saturday to deal with that very problem.

And I humbly beseech that you consider an amount of your resources so that these lost lives will not continue to represent society's red ink. And I conclude, if you do allow this type of program to come about, please do not forget about me.

Thank you.

Senator THOMPSON. Well, you would be a hard man to forget. Tell me a little bit more about the Luttrell Reception Center. What type of people do you have?

Mr. NELSON. That is a State prison. Basically what we bring in are offenders who have been charged and the State processes them through. But at that institution, Senator, we have a program called Rap and Roots where we bring young people into the institution and let them talk to individuals who have been convicted of a crime and charged with that crime and then sentenced to that crime. Let them talk to those young people. Let them see what has happened to them since their lives have been brought to that institution.

Because during juvenile court, Shelby Training Center, a lot of these children are being recruited into the gangs during that period of time. But when they come to our institution, we let them see that once you get there—and let me say we're not a scared straight program. Inmates do not run that institution, do not run that program. We run the program. We tell you what to do, how to do it, and when to do it. And most of those young people see that and they respect that and they do not want to come there.

The biggest problem that a lot the programs are failing with is they do not know the language of the streets. These children have come up with a new language. For example, if I was on the streets, I would say to some young folk if I know which area they are in, "I'm not a 0045—I realize that if you come with a 60, it'll be a 187 going down with a 414."

That is the new language that they come up with on the street right here in the city of Memphis and literally all throughout the United States of America.

Senator THOMPSON. What does that interpret to? Decipher that for us.

Mr. NELSON. I just said that I am not a punk. I ain't come here with the police. I am not your mama or your daddy. Because I realize that if you thought I was a snitch you would probably shoot me six—you would probably shoot me, and a 187 would be committed which means a homicide or murder, and then do a 212, you would take off. So they have come up with this language of communication even through their music. When they listen to the songs like

"Murder, murder, mo-murder, mo-murder, murder, murder, mo-murder." And they sing this smoking their pot or marijuana, as Judge Turner said. Smoking their marijuana, listening to their music that's reenforcing that negative behavior.

Then that is why I am saying we need to do this kind of boot camp so that we can help children realize that they can discipline themselves and all of that. But they can also solve problems. Those are the two main problems.

Senator THOMPSON. Has the gang problem gotten increasingly worse?

Mr. NELSON. Yes, it has. We have gone from a traditional point of view to what we call a nontraditional point of view. Where the local gangs now is getting their order, steal from the State prison system and they are still being inducted into the gang through the system of the juvenile court and Shelby Training Center. And some of them are even being inducted out on the street by intimidation, young girls getting raped, and forced to be into the gangs. So, yes, sir. The situation is getting worse.

Senator THOMPSON. Ms. Holden, Mr. Michael, and Mr. Crouch, could you, perhaps, maybe Mr. Michael, in a little bit more detail recite your activities. It seems like we might have quite a bit of overlap here. And I am not sure I am understanding the role that each of you has. Any of you can take a crack at it.

Mr. MICHAEL. Senator, Court Appointed Special Advocate is a trained individual who is a child advocate. We are court appointed, either by a referee or Judge Turner in juvenile court or by a judge downtown in circuit court, to represent a child's best interest.

Senator THOMPSON. So you are an assistant? Mr. Crouch gets involved before it reaches that point; is that correct?

Mr. CROUCH. Not necessarily.

Senator THOMPSON. Not necessarily.

Mr. CROUCH. And Ms. Holden may be in the best position to describe what we all do because she has such a large amount and is so specific.

Senator THOMPSON. All right; yes.

Ms. HOLDEN. One of the reasons I said structure of the Community Health Agency is so unique is that we actually have the flexible money flowing through our agency but we are not service providers. What we have is a case management component that does the assessment and pull in whatever resources we need, such as Home Ties.

Senator THOMPSON. I see.

Ms. HOLDEN. We can pay for the services. But we are not bound to just pay for counseling or some kind of categorical service. We can pay for the Big Mac or whatever the family needs that is going to motivate and change the family system.

Senator THOMPSON. I see. So although CASA was federally mandated, the decision whether or not to utilize CASA in a particular situation might rest with your organization, Ms. Holden? Is that a fair way of——

Ms. HOLDEN. Exactly.

Mr. MICHAEL. I did not intend to mislead you, Senator. CASA is not federally mandated. It was an outgrowth of a Federal mandate that all children receive guardian ad litems.

Senator THOMPSON. I understand.

Ms. HOLDEN. One of the things that we have seen that has been so important in terms of making our resources go as far as they have is making sure we do not have a duplication and overlap. And if you have one central person coordinating their services but not providing the service, I think you are able to accomplish that.

Senator THOMPSON. Could you elaborate a little bit more on your need for flexibility? Are you getting what you need? You have to deal with the State there, mostly?

Ms. HOLDEN. Correct. We do.

Senator THOMPSON. Are you getting what you need there? Is there Federal Juvenile Justice Act funds involved or is it strictly State?

Ms. HOLDEN. No, we have Federal title IV–A money that comes into the flexible money that we have and it is a small amount of our budget. It is only, this year, like $300,000 in our flexible funded money. We do not pay salaries out of this. It goes directly into the community for service and to the family. The reason we have had so much success is because of that kind of flexibility because when you get in and ask a family, "What is it that is going on and what is it do you need?" and you really focus on the strength and put in, it does not cost a lot of money. Eight hundred dollars to serve a family is nothing. It is a drop in the bucket compared to what we usually do from a categorical program where we identify these are the problems. And we make sure everybody has those problems and we address those problems rather than looking at what is simply going on that you need to be trying to address.

Senator THOMPSON. So flexibility versus categorical money that you get.

Ms. HOLDEN. Absolutely.

Senator THOMPSON. Now, again, are we talking about strictly the Federal funding aspects or does this pertain to the State also?

Ms. HOLDEN. It flows through the State. This is all Federal money, title IV–A money, that we use in this program. But the State does fund some of our salaries.

Senator THOMPSON. You are, no doubt, aware of the debate going on in several different areas concerning block grants versus categorical grants and all that. You talk about the need for prevention as we all acknowledge. How can the Federal Government make sure, if it chooses to want to go in this direction, that block grants will not just simply go for, again, something that might be a little more flashy, more immediate, as opposed to something that is really needed? Do you share any of the concerns of those who have problems with block grants that you heard described here today? I mean, I am clearly an advocate for flexibility and I think the States and the local communities need to be making more and more decisions. I agree with you. But I am trying to get to the arguments and concerns of those who say, "If we do not have pretty strict strings attached to this Federal money then they will not do the right thing with it." How do you respond to that?

Ms. HOLDEN. Well, my response is that we have had that string a pretty good while and we have done what those strings required and I am not sure we have gotten the results and the outcomes that we desired and we need to learn from that experience. I trust the local community. I trust these families. They may be in trouble. They have strength and we have to build on those and I trust that they have to a part of the solution. And you cannot make that process happen if you are too bound by Federal guidelines. So——

Senator THOMPSON. I am not going to hold you to this but would you care to name a program or two that you feel has not met expectations, where the money could be better used other ways if you had the options to do so?

Ms. HOLDEN. I think specifically most programs that begin with defining what has to happen had too many bureaucratic pieces of paper and things that, I think just as a general rule not just a specific program. And I think that is problematic. And I think then that you get into making sure that you do all that rather than focusing on what needs to happen in the local community. So I do not think it is just a problem with one program that I have been involved with. I think it is a general issue.

Senator THOMPSON. It is more of a straitjacket type of approach. You are dealing, all of you, I guess, to one extent or another, or the three of you, anyway, with the problem on the front end. We have been talking about the back end a lot and you are actually getting involved before the hard problem develops that Reverend Nelson has to deal with. And, Mr. Michael, I think the most impressive thing about your operation when you talk about seed money, you have seed people that blossom with all these volunteers.

Mr. MICHAEL. Yes, sir. That is true. We are primarily a volunteer organization. We rely on rational, intelligent adults who can provide guidance to children through looking at their family situations and then taking the information and their concern and the investigation to the court, so that the courts can make the decisions they need to make. In most situations, a CASA volunteer is the only representative whose allegiance is to the child. The attorneys represent mom and dad or relatives or the State. The State represents the family by Federal mandate and with the exception of the judge who is an officer of the court, of course, who must look out for the best interest of the child, the CASA frequently is the only one in the room whose allegiance is solely to the child.

One of the other benefits of the program is that CASA volunteers generally commit to the child long term. Some of these cases drag on for years. Social workers change. Lawyers change. Judges change. Doctors come and go. Services come and go. Yet the CASA volunteer is there throughout. And they can offer a view to a judge or the system as it is that a lot of times gets lost in the shuffle.

It is a program that has been well tested over time. Since 1976, it has grown throughout the Nation and has obtained the support of many of the bars and benches across the land, as well as the Government through its support.

If I might, just briefly address the question you put to Ms. Holden about Federal funding, and I am not attempting to recharacterize the issue, but I think it needs to be looked at in a different way. Mayor Herenton, I think, hit the nail on the head. When most of our moneys flow into Washington through a Federal income tax, obviously Washington holds the purse strings. Much like Ms. Holden, I am not pleased with many of the Federal regulations that are imposed upon my program and the people that deal with that program in using those funds to provide services to children. But we have to understand that it is a partnership and that it is a partnership not just between you and I or you and Frayser Family or any of the other agencies that are represented here. It is community-wide. Why? We all have to work together and the people that you see at this table do every single day. We make referrals to one another. We are on the phone with one another. My clients are his clients are her clients are Carl's clients. We are collaborators in this community because the people we serve access all of our agencies.

So it is broader than a block grant or an act. It is truly a partnership between Washington, the State of Tennessee, Memphis, and Shelby County government, CHA, CASA, Frayser Family Services, and the good reverend here.

Senator THOMPSON. Well, let me ask you. I appreciate what you are saying. I understand. Let me ask you a broader question. You have each got your agencies and your programs that you are dealing with. I understand your need to speak well of them, perhaps, but I would think that sometimes you would feel that you are drowning in a sea. I mentioned dipping into the ocean a while ago. I mean, Do you really feel like that? Obviously, helping one person is beneficial out of a million, if that is what it is. But do you get the feeling that we are really doing much good with regard to the things we are trying to do as a society and the State and local activities when you look at these staggering statistics and you look at what is coming down the path? And no one seems to have, certainly, any easy solution or even any tough solution that is working. The problems seem to be so fundamental. We cannot institute any programs or pass any legislation that is going to directly cause people to start raising their kids in a decent way. Maybe there are some things we can do indirectly.

But I would like some expression of hope, if there is any, from you, based on some reality, if there is any. Can you give me any of that?

Mr. MICHAEL. Yes, sir: absolutely. If I did not believe in what I was doing, I would not be here. I think we make a difference one child at a time. I think Barbara makes a difference one family at a time, as does Frayser Family Counseling. We deal with the children.

Case in point, we deal with children who are stuck in the foster care system, who, for whatever reason, cannot get out.

Today, a program that is collaborative with the Tennessee Commission on Children and Youth and the OJJDP funding and other local agencies provide services to children in foster care. We freed 150 children for adoption, 150 who have been stuck in the system for 4½ years on average. That is 150 kids that would still be in the system if it were not for programming like that. Now, it is not the end-all, but is it successful? Yes, sir. I think it is.

Obviously, I cannot predict 10 years from now, 20 years from now, where these children will be. But what I can do is, draw boundaries for closure in the lives that we deal with and what we know is that we provide these kids hope for the future by getting them into nurturing, safe, and permanent environments. And it happens every single day.

Senator THOMPSON. Ms. Holden.

Ms. HOLDEN. I think what my frustration is that in our particular agency, our staff is funded by the State and we have 60 case managers. Only five of them participate in the prevention part of our program. And it is truly what keeps me going because I do know it works. And what we see are the other case managers dealing with the ones who get in the system. And that is not a good picture. And so the ones we keep out, yes. I feel very good about that. What I know and the reason I am here today is, we have to put more of our energy in the prevention area and not 5 case managers and the other 55 dealing with the ones that are in the system. Where once that cord between family and the child is broken, it is very difficult to ever restore the kind of relationship that you had previous to that.

Senator THOMPSON. And you will never have statistics on the problems that you prevented.

Ms. HOLDEN. Exactly.

Senator THOMPSON. You will never really be able to prove that thought.

Ms. HOLDEN. But we do. I mean, we get our energy. I mean, obviously, that is the reason we are still here from the successes.

But we had a little girl, a teenager, who had a baby 2 months old. She was homeless. She was on the street. A citizen actually called us with the case and we were able to get in there and get them, No. 1, off the street. And she was bonded with her baby but the parents had kicked her out because they were not happy with her being pregnant. It was a biracial situation and a lot of other contributing factors.

To make a long story short. We got on the phone with the family, the grandmother, and were able to work with that family and now they are reunited. They have accepted the grandbaby and we are moving forward.

So, we could not have done that without the flexibility of this money to do it. Because if we had had to fill out 10 forms and wait 3 weeks, we could not have gone and gotten that mother off the street that day and taken her some place and paid her rent.

Senator THOMPSON. Right. Right.

Ms. HOLDEN. So my frustration, and I do have it, is with continuing to focus on the after the fact rather than the before.

Senator THOMPSON. I see.

Mr. Crouch, there has been a lot of talk here today about the importance of the home and you are working to keep that intact.

Mr. CROUCH. And I would certainly like to address the issue of hopelessness.

Senator THOMPSON. Yes.

Mr. CROUCH. One of the primary issues that we face with every family is the issue of learned hopelessness and learned helplessness. We are trying to give them a new perspective and give them the skills to see that they are not helpless. It is also something we have to battle constantly with our discussions with ourselves and with our therapists so that we don't become hopeless.

What is really exciting to watch, though, is that we have got 25 therapists, highly skilled therapists, who are doing the most difficult jobs imaginable. These folks could be working for a managed care company or in a traditional mental health setting where someone comes into their office and they sit down for an hour and they leave and then someone else comes in.

I have got 25 therapists out here that are in homes that are first trying to meet the most basic needs, making sure people have food to eat, that they have clothing. They will help someone clean the roaches out of their house. They will scrub the floors. They will paint the walls, whatever it takes to partner with the family. Helping to meet the most basic needs. And these therapists are excited. And we have a very low turnover rate among our therapists and it is not because they are getting paid a lot of money. They believe in the work that they do and they see the success.

And it is a pretty bleak situation but I have not heard anyone else, so far, suggest that we can start any place else other than in the home, strengthening the family.

Senator THOMPSON. It was referenced earlier to a welfare system, Mr. Crouch. Do you believe that that is contributing to the problem somewhat?

Mr. CROUCH. Huge question. We have families that certainly rely on the welfare system to meet some of their most basic needs. I do not believe much, though, in the concept of the welfare mother. In all the cases that we work with, I have not yet found a family that is getting rich off of welfare. Or they can do anything more than just minimally meet their basic needs.

And people want to do better. They ask us to help them find jobs, to get job training. I firmly believe that all of our programs are based on the belief that people want to improve their lives. Given their understanding and their limited skills, they want to improve, if we can help them.

Senator THOMPSON. Reverend Nelson, can you turn anybody around by the time they get to you?

Mr. NELSON. Well, we have, Senator. I almost called you Judge. We have because there was a young lady, also, in New Orleans that has a program called Stop the Guns Now. Her son was murdered a couple of years ago. And with this program in Baton Rouge, it is a deterrent to crime, drugs, and gangs.

The alternative school I just left last week, 75 boys. About 70 percent of them are in gangs. And the majority of the killing that is going on in the street, that is not starting once they get there. We come to find out in that particular meeting that these boys have problems at least 6 months to a year before it escalates at that time.

So what we try to do is work with them and help them to understand that you do not need to carry a gun to resolve the problem. Channel 3 is doing a special now called Fighting Back. The little boy that was on there, I found the little fellow, 14 years old, carrying a 9 millimeter. He got it for $40.

After that meeting was over, I took him down to the Mississippi River and I asked him to let me see the gun. His mother did not know that he was in a gang. He said that he smoked marijuana, drank beer, and stealing cars was his favorite pastime. Well, I could not allow myself as an adult not to tell that parent. We have to work together.

And I took the gun from the young man and he said, "What are you going to do with it?" I threw it in the Mississippi River. Then I took that young man to a local program that was going on and I asked him to play basketball. The boy said, "Who am I going to play?" I said, "You are fixing to play me." He said, "Old man, I will wipe the floor with you." I said, "Good. So I am going to let you play him," looking at his younger brother. I was not about to have a heart attack.

But the thing of it is, everybody was rooting for the other individual and I was the only one rooting for him. And he said, "Man, everybody was rooting for the other guy." I said, "There was at least one person rooting for you. That is me."

That was a deterrent for him and now this young man has left the gang but he still has to deal with the problem of being in that community. "How do I deal with that peer pressure?" And I tell him that, "You are on restriction. That you cannot go out." And it has brought that family together. The love is there.

Yes, sir; we have deterred a great deal of individuals through this program. The Memphis Police Department brought the individuals and they have sent some individuals to Charter Lakeside, because they realize that sometimes they need that tough, military structure to get their attention before they can work with them.

Senator THOMPSON. How easy is it for a young person to get their hands on a handgun?

Mr. NELSON. It is very easy, Senator. Most of the guns are coming out of West Memphis, AR, and also through Mississippi.

The reason why they cannot trace many of these guns is because basically the Asian gangs are the ones that are bringing them in. They are selling to the African-American community at this cheap price for the simple reason they know that they can get more drug money and things of this nature.

The reason why the good children are carrying the guns is mostly because of protection because they are forced to pay protection money just to walk home from school in a lot of cases. And these gang members are standing right there on the corner waiting for them to get out of school.

The other problem is, that sending individuals to prison that are doing 2 and 3 years and locking them up with individuals that are doing 7 years to life. They have nothing to loose.

So if you have got a 3-year sentence of an individual locked up with this 8-year sentence individual, they put the pressure on the 3-year sentence to cause, you know, mayhem in the home, on the streets. And they are dared that they had better not tell anybody.

The other situation is that some of these individuals when they are locked up in prison is one of the most frustrating things that I had to go through.

I worked very hard to get some job skills programs put into the prison system. It was not like jobs. It was small-engine repair, auto mechanic work. And the sad part was they came back and said, "We do not want the prisoners to have this. We want them to do more time."

Well, if the man does not have a skill once he gets out, he gets back in that community with those young fellows, they can influence those little fellows to do what they want very easily.

Senator THOMPSON. Is there any way to stop the flow of handguns?

Mr. NELSON. Yes, sir. There is a way to stop them.

Senator THOMPSON. What is it?

Mr. NELSON. We as a community have to become real with who we are. We must turn back to God and ask God to forgive us for what we have done. I just believe that. We need to stop all the negativity, especially the African-American males on the television, and a lot of this gangster rap that is dealing with negativity, we need to cut it out.

There needs to be some laws passed that they should not sell this kind of music to minors because they get this stuff and it is talking about the Ouija board and, you know, into witchcraft. It is talking about the Ouija board. It is talking about getting guns. It is talking about killing cops and these children drinking whiskey and get on that marijuana and then they talk about, "Let's go do a drive-by shooting."

Oh, yes. We can stop them. But we have just got to come together.

Senator THOMPSON. Well, we will end on that very profound note, Reverend Nelson. I appreciate it.

I thank all of you. The community is indebted to all of you for the work that you are doing and you have been a great help to us today. We will certainly take back what you are saying here to address these problems in the future. You may leave any time that you want to.

I want to ask, is Gail Keesling here? Ms. Keesling, you represent the Victim's Right Advocates? Are there other victims' rights groups here represented?

Ms. KEESLING. Debbie Miller is with the Shelby County government. She, last year, very graciously began a program for victims' assistance for victims.

Senator THOMPSON. Would you like to come forward?

Ms. MILLER. Yes, sir. I would.

Senator THOMPSON. This, as you know, is not a public hearing as such but, you know, we have not talked anything about victims' rights. They are very important and if you want to make a statement, you are welcome to do so.

Ms. MILLER. Yes, sir, I would. I would like to thank you for chairing this and for, you know, bringing more attention to the problem of juvenile crime.

I am a crime victim. My 16-year-old son who was learning disabled, he was like a 12-year-old, a sheltered 12-year-old, was murdered in Millington in April 1989. His killer was a recidivist juvenile, a month short of his 15th birthday. He was on probation at the time that he committed the crime of murder. He committed the crime of murder to see what it felt like to kill.

Ninety-five percent of the cases in Shelby County are plea bargained. My Chad's killer was plea bargained from a first degree murder charge to second degree. He beat my child to death with a 2-foot fence post. That is a 4-by-4. There were 16 blows struck.

Juveniles commit some of the heinous brutal crimes that are committed. Yet they do very little time. I thought 20 years was a very poor sentence. I was not told I had rights but you can be sure he was told he had rights. To me, that is a violation of my 14th amendment right to equal protection and due process. It is also a violation of my first amendment rights to petition my Government for recourse of grievance. Yet nothing was told to me about that. I mean, I am in shock because my child has been murdered.

As I said, he was a recidivist—he had done about 1 thousand dollars' worth of damage. It was not his first appearance in juvenile court. Each time he got probation.

We have over 4,500 juveniles on probation throughout the State. We have 945 juvenile beds. It costs $136 a day to house a juvenile, $6 a day for probation. So you can see where the cost is going to go and what the choice of punishment is going to be.

Judge Turner does not have enough alternatives. He has probation and he has incarceration. I see that. I am not a total lock-them-up, throw-them-away. If they commit the crime, they do the time. I do not mean 30 percent of the time. I mean the whole time.

Victims should have a say in a case. I realize they cannot have the final say, I am not stupid. But I do think that my rights have to be respected as much as the criminal's rights have to be respected because you may be sitting on the other end someday. You may be the victim next and it is not right that we treat our victims as second-class, disenfranchised citizens.

I would like to say, you know, that a lot of these programs of these individuals who have more education than I do and are a lot more knowledgeable, they work.

Reverend Nelson's, in particular, will work but we have got to them at the right age. Eighteen- to twenty-four-year-olds for boot camps is the wrong place to start. We have to start at the cradle. We have to put our boot camps for 10-year-olds, 10- to 12-year-olds, 13- to 14-year-olds, 15- to 17-year-olds. Each need their own tour through the boot camps.

A 10-year-old comes in for shoplifting. What is Judge Turner going to do with him? He is going to put him on probation. We need an intervention team that can go into these homes to see what is happening, why this child is stealing, why this child set a fire that sent him to the court system.

We have got to address the reasons why. I am not sure I know why. Some of it is that we do not have enough prenatal. Our parents do not know to go get prenatal care. Sixty percent of these illegitimate pregnancies end up in our jails and prisons from what I understand. We need to reduce that.

We need to teach parenting skills before the child is born, not after this child has had a child. And not only the mother needs to be taught parenting skills, but the father needs to be taught parenting skills. If you do not know how to change a diaper, if you do not know how to deal with colic, if you do not know how to feed the child properly, that is a problem. You do not even know how to feed yourself properly. We do not even teach nutrition in our schools anymore, I do not think.

A lot is just life skills that have not been passed on from generation to generation. We have had an outbreak of Hepatitis A in this county. The likes of over 1,500 cases last year, and it is still climbing. We have spent thousands, hundreds of thousands of dollars trying to prevent this simply because no one has taught people that we still have to wash our hands. We have no soap in our schools. We have not got paper towels. We are lucky if we have toilet paper because the kids stuff it down the toilet.

The school out in Millington, they solved part of the problem. The sinks are on the outside of the bathrooms. That helps. But we are all putting Band-Aids on problems that goes back to the basics of family. We no longer teach right from wrong. We took God and prayer out of our schools. We do not teach the Pledge of Allegiance. By the time they get to fifth grade, they quit saying the Pledge of Allegiance. I think they ought to say it all the way through.

I mean, we had a principal in one of our Millington schools that did not want to fly the flag. I find this hard to believe. We need to preach family. We need to preach morals and all major religions teach morals. I do not care if you are Muslim, Christian, or Buddhist. They all have a moral teaching. They teach not to kill, not to steal, not to tell lies.

When little Johnny pulls little Suzie's hair in kindergarten, there needs to be a consequence. And Johnny does not have to be beaten. He just needs to lose his recess privileges for the day. Not a 5-minute timeout, but his recess privilege for the day. He continues it? Well, he needs two or three recesses revoked. There are things we have to gear to the crime or the misbehavior.

But if little Johnny hits Suzie, little Johnny needs his butt paddled. I am sorry. And there again, we need a clear definition, Senator Thompson, of what is child abuse.

When I took my open hand and smacked my child's butt in Wal-Mart, I do not want Health and Human Services to come down on me.

I did it for a reason, not because my child was, you know, just acting a little ugly. Because he climbed out of the cart and ran away. And he terrified the living daylights out of me. I spanked him. Within an hour, Health and Human Services were at my door and had to inspect his body.

We need a little more clarification on that issue. I should not be penalized because I dared to discipline my child in public. I do not want to see somebody sitting there cursing their child in public because that is wrong. But if they take their open hand and apply it to that child's bottom, I see no wrong in it.

Senator THOMPSON. Well, first of all, my condolences for the terrible loss. I commend you for being as objective as you can be under the circumstances. It is really remarkable, too, that you are saying some of the same things that a lot of these other witnesses have said.

Ms. MILLER. What they said is the absolute truth, and yet magnify it 10, 15 times. We are going to see our homicide rate climb out the roof. I read the reports you are reading. The Department of Juvenile Justice says, "We have 3,300 murders as of 1992 that juveniles have committed." This is going to climb to 8,100 murders, a 145-percent increase. We are going to see 129-percent increase in aggravated assaults. I mean, all crime levels are going to increase.

I cite the problem of the way the FBI does their counting. They only count the most serious offense that was committed. If a man commits rape, robbery, and murder, only murder shows up. Well, two of the them were flushed down the toilet. You need an accounting of all crime.

The BGS says that in 1993, there were 43.6 million reported criminal victimizations. Nearly 11 million of them were violent, 24,562 were homicides. That is the population, people, of a small town. That is the population of my city, Millington.

In 5 years, we lose the equivalent of the island of Hawaii—100,000 people or more to homicide. Many of these are done by repeat offenders. We need to be more serious with our repeat offenders and it all starts back in the juvenile end. These adult offenders started as juvenile offenders. They did not come full blown as adults.

Senator THOMPSON. That is what we are coming away with. We have to address this from the cradle or before the cradle. Address it at the preschool age, the school age, the juvenile age when they are the most problem. Let them know that they suffer the consequences to their actions.

Ms. MILLER. Every action—if you do not pay your bills, your creditors come after you.

Senator THOMPSON. And be dealt with at the corporate level with corporate measures.

Ms. MILLER. Right.

Senator THOMPSON. All the way up to the hardened criminal and, for me, including the death penalty.

Ms. MILLER. There, again, we have problems with people who do not believe in the death penalty enforcing their particular belief on 75 percent of us who believe in it.

We need habeas corpus reform. We need reform on the exclusionary rule in evidence. There is a whole host of areas.

Senator THOMPSON. Well, we are halfway home on habeas corpus reform.

Ms. MILLER. We are getting it on the State level.

Senator THOMPSON. Well, we are going to get it on the Federal level, too. We have passed this year, it was a part of a terrorism bill but it has not been signed into law yet. So I do not know what is going to happen yet.

Ms. MILLER. Senator Levenwood has introduced legislation in the senate that will require libraries to do the same as movie theaters do as far as the X-rated, R-rated material, yet he is getting all kinds of flack because he has introduced this bill.

I think our libraries and our video stores should be responsible where they rent these movies.

Senator THOMPSON. Well, the problem is pervasive and you have been very helpful to us. Stay in touch with our office. Let us work together on this.

These people were promised they could go home some time ago.

Ms. MILLER. Thank you, Senator.

Senator THOMPSON. But I appreciate your contribution to what we are doing here today, and with that, I declare this hearing adjourned.

[Whereupon, at 1:47 p.m., the subcommittee was adjourned.]

YOUTH VIOLENCE: DEVELOPING STATE SOLUTIONS

FRIDAY, FEBRUARY 16, 1996

U.S. SENATE,
SUBCOMMITTEE ON YOUTH VIOLENCE,
COMMITTEE ON THE JUDICIARY,
Nashville, TN.

The subcommittee met, pursuant to notice, at 9:45 a.m., in the U.S. Courthouse, room 874, Nashville, TN, Hon. Fred Thompson (chairman of the subcommittee), presiding.

OPENING STATEMENT OF HON. FRED THOMPSON, A U.S. SENATOR FROM THE STATE OF TENNESSEE

Senator THOMPSON. I want to express my appreciation to everyone for making it in today. We are in Judge Echols' courtroom and he leaves us this note,

> I regret having to be out of town Friday, February 16, 1996, when you begin hearings on youth violence. I recently received a long-term ramification of this insidious problem in my court.
>
> Unfortunately, it is usually too late to avoid a lengthy prison sentence. It is indeed sad to see so many of our youth wasted and ruined because of lack of moral guidance, education, hope and love. Good luck in your hearings and I will be anxious to learn of the results.

This is the hearing of the subcommittee on youth violence which I chair the subcommittee of the Judiciary Committee. Unfortunately, the chairman of the Judiciary Committee, Senator Oran Hatch, of Utah, who was going to be here with us today, is in Utah. I called this morning. He is snowed in. His flight was canceled and he cannot be with us but he asked me to express his regret that he is unable to be with us here today. I was looking forward to having the chairman of our full committee here. He has done an outstanding job on these issues over the years.

We are about this year to consider the reauthorization of the Juvenile Justice Act, an act that was passed in 1974 and reauthorized periodically every few years since then. That is the specific purpose of these hearings. Obviously, there is a broader purpose but the specific purpose is to look and see how that legislation is working and what we can do to improve it. To improve what is not working.

Clearly, this is not the most serious problem facing our Nation but it is one of them. At a time when the crime rate is pretty well leveling off nationwide, the juvenile crime rate is skyrocketing.

Along with that, the drug usage among juveniles is skyrocketing. Since the 1960's, the crime rates have soared, and so have the seriousness of crimes, and the role of youth violence in blood and treasure. It appears the future will be even worse. Demographically, we are in deep trouble. There is going to be another million young people in the problem age group at the end of this century. Half of them will be males and many of them will be law violators. Some of them will be predators on society in addition to the numbers that we have now.

So we may look back upon today, as serious as our problem is today, as the good old days. So, we may feel like we are trying to struggle to catch up but, in fact, we may still be somewhat ahead of the curve.

So as I said today, the subcommittee on youth violence of the Judiciary Committee will hold a hearing on youth violence developing State solutions.

Yesterday we had hearings in Memphis, TN, that I thought were excellent. We had the local officials there, the mayor of Shelby County, the mayor of Memphis. We had people from the community there, people who had been subjected to what it is like to live in the present day inner city.

We had a couple of young people who have been real problems who are trying to turn their lives around. We had a young lady from one of the local schools who testified about what they are doing as young people within the schools to try to implement programs to have some effect on their fellow students.

We had people from the community without any government assistance whatsoever, who have taken charge of their own lives and gotten people together with these young people, to have some influence on their lives, to encourage parents to be decent parents, to bring back people who formally lived in this community who have been successful and have broken out of poverty and broken out of a troubled background and are success stories to come back, and are held up as examples to these young people. They have branched out and other communities across the Nation have emulated them and it shows what the private sector can do.

Some of the people from the State agencies were there. I was very impressed with how they work with these private entities. I think that we are coming more and more to the conclusion that we have got to look at different ways of attacking this problem. We have more Federal programs than you can possibly shake a stick at. Every few years another law of some kind is passed.

The Juvenile Justice Act, of course, is one of them. In 1961, the Juvenile Delinquency and Youth Defense Control Act was passed. In 1968, two other major pieces of juvenile legislation was passed. The Omnibus Crime Control Safe Streets Act was amended. In 1974, the Juvenile Justice and Delinquency Prevention Act was passed. Victims of Child Abuse Act in 1990. Head Start Improvements Act of 1992. Child Care Development Block Grant Act Amendments of 1992. Child Abuse Prevention and Bereavement Act of 1974. And on and on and on.

And that is not to say that any of those acts are not good legislation or should not have been passed. But clearly the time has passed where we can simply create another Federal program and put in a few more million dollars in it and expect to do much good because we are being eaten up. We are dipping water out of the ocean with a small dipper at the present time.

So, that is what we are about. We are trying to look at what the good news is, as well as the bad news. And as I say, specifically, today we are so pleased to have people from the State of Tennessee so we can talk specifically. Some of it may get a little boring to most folks but too often we pass this legislation and really do not come back and find out what is working and what is not working with regard to the people who are actually trying to implement it.

So, I am especially delighted to have our Governor and my good friend, Governor Sundquist here today. I know of your busy schedule, Governor, and if you would, I would appreciate your comments that you might have to lead us off.

PANEL CONSISTING OF HON. DON SUNDQUIST, GOVERNOR, STATE OF TENNESSEE; GEORGE HATTAWAY, COMMISSIONER OF YOUTH DEVELOPMENT, NASHVILLE, TN; AND RITA WADLEY, COMMISSIONER OF PUBLIC HEALTH, NASHVILLE, TN

STATEMENT OF DON SUNDQUIST

Governor SUNDQUIST. Senator Thompson, thank you very much and good morning.

I appreciate the invitation to address this subcommittee on an issue much on the minds of Tennesseans. Please extend my greetings to Oran Hatch. He has been a longtime friend of mine and has been a leader in this area. I think it is interesting that with your background and experience, I know you are not new to this courtroom. Your experience lies in that you are uniquely prepared to take on this subcommittee and the problems that we see facing our country in this area.

With me today is Commissioner Wadley, commissioner of Public Health; Commissioner Hattaway, commissioner of Youth Services. Nancy Menke, who is assistant to me in charge of reorganizing Children's Services has tried to be here today but she is caught in the snow. So hopefully, she will be with us.

Senator, I appreciate your timeliness and the emphasis that you are placing on combating youth violence, more importantly, your willingness to look outside of Washington for answers to the problem, for being openminded about the possibility of cutting some of the red tape and some of the mandates that are handed down from Washington that often get in the way of effective use of the Federal dollars that we currently receive.

There are several points that I would like to take this morning. The first and perhaps the most important point is that the kinds of young offenders we are dealing with today are very different than those envisioned when the Juvenile Justice and Delinquency Prevention Act was enacted in 1974. I am certain Commissioner Hattaway is going to attest to this, that we are dealing today with an increasingly hardened and violent youth offenders, not the trespassers and joyriders of 40 years ago when I was a young person, not even the grand larceny and auto theft cases prevalent just 5 years ago. Today, unfortunately, we find ourselves dealing with teenagers who commit murder, rape and aggravated assault and drug traffic and deadly weapon, addicted to drugs.

We have found there is an inner connection between all of our agencies of Government. We cannot just look at this in and by itself. We have to find out all the relations that exist, the relationships that exist. In fact, researchers have found that while we have been successful in reducing the rapes and violent crime among adult offenders, unfortunately they are skyrocketing among youthful offenders. The number of young men 14 to 17, as you mentioned in your earlier remarks, is going to increase in numbers by 23 percent over the next decade.

So those demographics, coupled with the trends of more violent youthful offenders, leads Princeton's John Dilulio and other important analysts to warn that we are in a lull before the crime storm. It is not much of a lull, I might say, if these things in communities like Knoxville and Memphis and other communities are any indication of what is ahead of us.

So I think your hearings in Tennessee and across the country are timely and it is important that we anticipate how we can solve these problems that are coming. I might say that as a State, we approach the problem on several fronts.

My first priority, however, is the protection of innocent, law-abiding citizens. Last year we passed a crime package that broadened the number of crimes for which juveniles can be tried in adult court, and we made juvenile records available to adult trial judges for sentencing so that an adult would not be treated as a mere first offender if he or she had extensive records in juvenile crime. It is my belief that punishment is an important part of the federal justice process and that some people are simply dangerous, predatory offenders who need to be locked away from the public and needs to be a part of Federal policy as well.

I noticed in the last night or two what has been going on in Jacksonville, FL, and what they are doing down there. They realized that some people have to be locked away, regardless of age.

Again, I am for prevention. I am for rehabilitation. And we place a good deal of emphasis on both in Tennessee. When someone comes into a hospital emergency room with a deep cut, the first priority for that team is to stop the bleeding. Then they talk about how they can prevent this thing from happening in the future. It is rehabilitation, but you have to stop the bleeding. I think the same thing applies to society today.

First, we have to stabilize the situation for decent, law abiding citizens by getting violent, predatory criminals off the streets no matter what their ages. As I mentioned, Commissioner Hattaway and Commissioner Wadley will elaborate the way Tennessee is making the very substantial commitment to prevention and rehabilitation. That is part of our ongoing reorganization and reforming the programs and the children's fund.

A year ago, the programs and the children's fund were scattered over six departments of State government. The collective State budget was out of control. It was growing at a percentage of 29 percent annually and, just to give you some perspective, we still spend more money on the children's plan in the State of Tennessee than we do on the entire correctional budget. It is not a monetary problem that we have. We are spending enough money. We just need to manage it more effectively.

Today those services have effectively been consolidated into one department program manager and we have a budget for next year at the same level as it was last fiscal year. The reform is going to make the State of Tennessee do a better job, I believe, for our young people placed in our care and custody.

On a lower level, we do hope to head off problems in the future by working to make Tennessee a State of opportunity for each of our citizens, and I intend to do that by making sure that all the money we can spend, we spend in a way that is not defensive but spend it in a way that becomes an offense weapon and effects change. And that is reflected in our efforts to provide economic opportunity through economic development in the form of work force development and, as you know, one of our Nation's most ambitious welfare work transition programs we call Families First. It is also evident in the continuing commitment for better schools and better housing funding. We are building a $125 million minimum increase. This is the effect of 6 years to do that, so we have invested in education as well.

But it is my very strong belief that all the young people, regardless of economic or social circumstances, can be taught the difference between what is right and what is wrong. Certain and predictable punishment will deter crime. I believe it has been proven and it must be applied to youthful first offenders before they become hardened criminals.

Your subcommittee's specific interest in the Juvenile Justice and Delinquency Prevention Act is important in this whole process. Let me just make a few general observations and let my colleagues introduce theirs.

We appreciate the Federal funds we get for delinquency prevention. I believe we use them to good effect. We have found ourselves at odds with the Federal bureaucrats who seem to be, too often, more interested in process than progress. They are more concerned about how we do things rather than whether we get results and what those results are.

In one instance, we took those dollars and matched them to some local judges and gave them the flexibility to work with local service agencies. We found that we significantly reduced the number of young offenders who had to be committed to a youth facility. We won real and measurable results in getting young offenders to the rehabilitative programs, but we've run afoul of Federal bureaucrats.

They like our results just fine but they say we got them the wrong way. They are prepared to take away millions of dollars. We are appealing that decision and, frankly, I would be grateful for your committee's assistance in getting that arbitrary, misguided bureaucratic directive rescinded.

Our stance in Tennessee is that we know what works here better than some of the by-the-book bureaucrats in Washington, DC. We believe that we ought to be able to spend our youth delinquency dollars without having to say, "Mother, may I?" So I would urge you, respectfully, that you consider the reauthorization of Juvenile Justice and Delinquency Prevention Act, consider giving States those dollars without the mandates and without the redtape, without the bureaucrats looking over our shoulder and second guessing.

There was a unanimous decision I made specifically about this, about welfare reform and about Medicaid by the Nation's Governors as we have been in Washington, DC a couple of weeks ago. It is not a partisan issue. It is an issue of what makes sense and the whole question of who can be trusted. Well, we believe States can be trusted and I think we have given you ample proof that it will not be a waste of the dollar or how we can misuse State funds but rather how we can use those funds for the better.

So in short, we understand we are facing a far more serious juvenile offender than we have in the past and that the numbers of the violent young offenders and criminals are likely to increase dramatically over the next decade. We believe the punishment must be part of our response, particularly for those who are a clear danger to law-abiding, public citizens. But we recognize that there are also troublesome young offenders who can be turned around before they become hardened cases.

We in Tennessee are addressing both the punishment and rehabilitation sides of this issue. We believe that to do so we'll be more effective if we are given the latitude to spend our Federal funds the way that we know it will work here.

Senator Thompson, I am grateful for your friendship. I am also very appreciative of your leadership on this issue. I appreciate the emphasis your subcommittee is placing on the value of these funds. I very much appreciate the opportunity to share some of my views on them and I look forward to hearing from my colleagues.

I thank you for the opportunity. Thank you very much.

[The prepared statement of Governor Sundquist follows:]

PREPARED STATEMENT OF DON SUNDQUIST

Good morning, and thank you, Senator Thompson, for your invitation to address this subcommittee on an issue much on the minds of Tennesseans. I appreciate your timely in combating youth violence, your willingness to look outside of Washington for answers, and for being open minded about the possibility to cutting some of the red tape and mandates that get in the way of our effective use of the federal dollars we currently receive.

There are several points I'd like to make this morning. The first and most important is that the kinds of young offenders we are dealing with today are very different from those envisioned when the juvenile Justice and Delinquency Prevention Act was enacted in 1974. As Commissioner Hattaway will attest, we are dealing today with an increasingly hardened and violent young offender—not the trespassers and joyriders of 40 years ago, not even the grand larceny and auto theft cases prevalent just 5 years ago. Today, we find ourselves dealing with teenagers who commit murder, rape, aggravated assault, and who traffic in deadly weapons and addictive drugs.

In fact, researchers have found that while rates of violent crime are going down among adult offenders, they are sky-rocketing among youthful offenders. And the number of young men ages 14 to 17 will increase by 23 percent over the next decade. Those demographics, coupled with the trend toward more violent youthful offenders, lead Princeton's John Dilulio and other important analysts to warn that "we are in the lull before the crime storm". And it is not much of a lull, if the experience of communities like Knoxville and Memphis are any indication.

As a state, we approach the problem on several fronts. My first priority, however, is the protection of innocent, law-abiding citizens. Last year, we passed a crime package that broadened the number of crimes for which juveniles can be tried in adult court; and we made juvenile records available to adult trial judges at sentencing, so that an adult would not be treated as a mere first offender if he had an extensive record of juvenile crime.

It is my belief that punishment is an important part of the criminal justice process. Some people are simply dangerous, predatory offenders who need to be locked away from the public. That needs to be a part of the federal policy too. I'm for prevention and rehabilitation, and we place a great deal of emphasis on both in Tennessee. But when someone comes to a hospital with a deep cut, the first priority for emergency room team is to stop the bleeding. Then they can talk about prevention and rehabilitation and such. But first, you have to stop the bleeding. The same applies to society. First, we have to stabilize the situation for decent, law-abiding citizens by getting violent, predatory criminals off the street—no matter what their age.

As I mentioned, and as Commissioner Hattaway and my Assistant Nancy Menke will elaborate. Tennessee is making a very substantial commitment to prevention and rehabilitation. This is at the heart of our on-going reorganization and reform of the programs in the Childrens Plan. A year ago, these scattered among 6 departments of state government and their budget was out of control, growing at an average rate of 19 percent annually. Today, those services have been effectively consolidated into just one department and the program budget remains exactly what it was last fiscal year. Those reforms will enable Tennessee to do a better job for young people placed in our care and custody.

On the broader level, we hope to head-off problems in the future by working to make Tennessee a state of opportunity for each of our citizens. That's reflected in our effort to provide economic opportunity, through economic development, reforms in workforce development, and one of the nation's most ambitious welfare-to-work transition programs—our Families First initiative. It is also evident in our continuing commitment to better schools.

But it is my very strong belief that all young people, regardless of economic and social circumstance, can be taught the difference between right and wrong. Certain and predictable punishment deter crime. That's been proven. And it must be applied to youthful first offenders, before they become hardened felons.

Your subcommittee's specific interest is in the Juvenile Justice and Delinquency Prevention Act. Again, Nancy Menke and George Hattaway are prepared to discuss its workings in Tennessee with you in some detail. Let me offer a few general observations, if I may.

We appreciate the federal funds we get for delinquency prevention. We have used them to good effect, but we have found ourselves at odds with federal bureaucrats more interested in process than progress—more concerned about how we do things than whether we get results.

In one instance, we took these dollars and passed them through to local judges and gave them the flexibility to work with local service agencies, we found that we significantly reduced the number of young offenders who had to be committed to a youth facility. We won real and measurable results diverting young offenders to rehabilitative programs, but we've run afoul of federal bureaucrats.

They like our results just fine, but they say we got them the wrong way and they are prepared to take away millions of dollars. We are appealing that decision. Frankly, I would be grateful for this committee's assistance in getting that arbitrary and misguided bureaucratic directive rescinded.

Senators, our experience in Tennessee is that we know what works here better than some by-the-book bureaucrat in Washington does. We ought to be able to spend our delinquency prevention dollars without having to say "Mother may I". I urge you, as you consider the reauthorization of the Juvenile Justice and Delinquency Prevention Act, to consider giving states these dollars without the mandates, without the red tape, without the bureaucrats looking over our shoulder second-guessing us.

In short, we understand that we are facing a far more serious juvenile offender today than we have in the past, and that the number of these violent young criminals is likely to increase over the next decade. We believe that punishment must be a part of our response, particularly for those who are a clear danger to the law-abiding public, but we recognize that there are also troublesome young offenders who can be turned around before they become hardened cases. We in Tennessee are addressing both the punishment and the rehabilitation side of this issue, and we believe we can be more effective if we are given the latitude to spend our federal funds in ways that we know will work here.

Senator Thompson, I am grateful for your leadership on this issue. I appreciate the emphasis your subcommittee is placing on combating youth violence. I very much appreciate the opportunity to share some of my views this morning.

Commissioner George Hattaway of the Department of Youth Development, and Nancy Menke, Assistant to the Governor in charge of the Childrens Plan reorganization, will have further comments for you and will be available to address your questions.

I thank you again for the opportunity to testify this morning.

Senator THOMPSON. Governor, I sincerely appreciate you taking the time to be with us here today.

I know these issues are ones that have concerned you for a long time. I certainly share your overall desire to have people who are on the scene and have to deal with these problems on a daily basis have more leeway and more say so as to how these problems are addressed. They have got a fancy name for it in Washington called devolution and we call it letting people know what the problem is and have more say so in handling the problem.

I think this is a good example to start with and we will talk in more detail later on about particular problems, but it seems to me that the problems of the juvenile crime and juvenile delinquency are so varied and so complex, and have so many ramifications and so many different levels as kids get from one age group to another. Depending on who you are talking to, we are losing these children by the time they start grammar school nowadays if they are not headed in the right direction. But certainly, you would think it would be amenable to people there having to deal with those particular kids that they should have more say so.

Yesterday, one of the witnesses, and maybe two, mentioned our welfare system as contributing to the problem that we are addressing here today. I know that you have somewhat of a revolutionary approach to changing that whole system in the state of Tennessee. Do you think what you are trying to do here will have an impact on the juvenile crime problem?

Governor SUNDQUIST. Senator, Mr. Hattaway and I talked about this and obviously this is an important part of what we are trying to accomplish. I believe that if you look at a lot of youthful crime, you will find it is the failure of the family. And so when someone joins a youth gang, they are looking for someone who loves them or someone who will give them attention or someone who can make them feel a part of something.

Unfortunately, our welfare system in the past has been one that says to 95 percent of the 92,000 AFDC people are women head of households. So what we said in the past under the Federal welfare program is you cannot marry when you are on welfare, but you can live together.

So that is contradictive to what we are trying to reach concerning having traditional families. Where we cannot—our welfare proposal will say it is OK to marry. It is OK to own a car. It is OK to save money if you can save money while you are on welfare.

And that another part of it is assuming the responsibility for the father of the children. Of the AFDC clients we have in Tennessee, the 92,000 or 95 percent, only 14 percent of them get child support. How many people would not be on welfare if they were receiving the proper child support from the father of the child?

So when they sign a contract with us at Families First, they identify the father and they have to agree to keep their kids in school. They have to agree to get the children immunized and with regular health care checkups. We are going to propose to go after the fathers to make them pay child support and take away their driver's license or professional licenses issued by the State.

So No. 1 is, this works in other States—South Dakota, Maine, and other States. The numbers are just remarkable. So to help finance the family, or to encourage people to marry as opposed to living together and to—according to Commissioner Hattaway, and I think he is going to talk about this, one of the problems in juvenile delinquency in many instances is the lack of a family and the lack of someone working in the family.

So I believe as we move to reduce the problems of those on welfare and change the dependency of the Federal Government for checks into an opportunity to work and control their own destiny and their own lives and have self-satisfaction that comes from that, I believe it is going to have an impact on juvenile crime, because if you look back at the deterioration of the family, the dependency on the Federal Government for welfare generationally, you see very conclusive results.

So I think welfare reform is not the only piece of it, but it is a piece that fits together because what is going on in Washington is going on in the States.

Senator THOMPSON. I think that most people who look at this will certainly identify most of the probable factors from the witnesses yesterday. I guess we had 15 or 20 witnesses altogether yesterday. It seemed to be a common thread there also; guns, drugs, gangs, violence on television some people thought. But the single most thorough theme was the single-parent household. And so I would certainly think if anything that could be done to strengthen the family long term is going to have probably more impact than any other single thing.

Governor SUNDQUIST. In our children's plan, it is not enough just to spend money, and that seems to be often the fastest to get it done, except that we allocate money for this problem so that it will be solved but it is—in children's plan, we had inventoried a lot of children. But are we effecting changes? Are we doing anything that will help them in the future? Too often we—that is what we are trying to accomplish by shifting responsibility to one department of government from six departments of government. And ultimately, though, the money that we save I would like to see us in Tennessee invest more in identifying those preschool at risk children. With some certainty we can identify those children who are potentially not going to succeed in school.

We can identify potentially those children who are likely to drop out of school and then when they drop out and get involved in gangs and get involved—and they get into trouble. I think that will be a good investment for us.

A big part of our long-term program is the commitment by the State to shift money into child care and into transportation. Those are the problems that you have when you try to find jobs for some individuals. When they are on welfare, they do not have a car and they cannot get back and forth and who is going to take care of the children? And so we are investing a huge amount of money in child care that will allow the parents to go to work, and I believe to the extent that it is good child care, and we are going to try to make sure that happens, that can have an effect on some of these young people.

So it is a number of things. It is not money necessarily, although they are using welfare to invest in our money. It is families. It is caring. It is discipline and it is also separating and identifying those children before it gets too bad.

Senator THOMPSON. That is really tough sometimes identifying what part of that government could really deal with it. It is trying and deciding what we can deal with and then how to deal with it.

You mentioned something again that is becoming, I think, increasingly apparent that is important, and that is identifying preschoolers, getting to the children early enough to do some good. It seems like we go through various phases in this country.

When we started out in juvenile delinquents where, frankly, when we were growing up and throwing rocks at cars or something and the system was geared toward total rehabilitation and our children making errors and so forth. Then there for a while, we identified things such as gangs and drugs. If we just cured those problems, then the problems would go away, and we put a lot of resources on those things. Then that did not work and we got tough, and we are still getting tough and we have to get tough. Both federally but primarily at the State level.

And now, we have done all of that, and we needed to do all that. But now we see that we are going to have to take another step and that is go back to the beginning, the cradle, perhaps, or precradle or certainly preschool because that is where the problem starts.

And the question comes, "What do you do?" Obviously, some people point out to programs such as the Head Start program that works. Others say it works as long as you are in there, but once you leave those children after spending those moneys, they go right back to the same bad environment and you lose them all over again.

So that is what we are dealing with. I think you put your finger right on the problem. I will just ask you one more area and I am going to—you did not ask for this, but I will volunteer this—I will give you the opportunity to go about implementing some of these programs before leaving us here today. But that is the whole question of mandates. You have seen it from your days in Congress and you are seeing it now as chief executive of the State of Tennessee.

Some people say all States are going to want maximum flexibility. Other people will argue and say it is the the general taxpayers' money, you know. We ought to put strings on anything that we send down. You have as good an advantage point as anybody I know. You have seen all sides of this. Where do you think we ought to go generally and specifically with regard to these youth prevention programs?

Governor SUNDQUIST. Well, whether it is welfare reform or whether it is medicaid reform, I believe that States ought to be given the maximum flexibility and then we ought to be judged as to how we perform. And part of the responsibility of the Congress is to say that they perform well or they wasted money in this State or they have done something wrong here, if that in fact occurs.

I think government operates best closest to the people and to the extent that one size does not fit all, that what happens in Tennessee is much different than what happens in New York, that what happens in Tennessee is much different that what happens in California. By having the flexibility to address our problems, I think that everybody comes out ahead and I think that the States have an obligation as well, not to put mandates on local committees, to give them the maximum flexibility. In Memphis and Shelby County, Judge Turner has excelled. He is a recognized expert on the whole question of juvenile crime.

Senator THOMPSON. He was with us yesterday.

Governor SUNDQUIST. So I believe that what has happened in the past has not worked, that we have not had the best utilization of funds, and that States can be trusted and it is not a race to the bottom. It is a race to the top. You just have to look at examples and you know these examples.

For instance, Governor McWhirter. It took a lot of courage to put into effect a different kind of health care delivery system. We did that with a waiver. And we had put in the systems that have made it work even better. So today in Tennessee, we lead the Nation in percentage of citizens covered with some form of health care insurance, 94.2 percent. When I was in Congress, we kept hearing that we had to have mandated employee benefits. Well, we passed where they have mandated employee benefits. And we in Tennessee have a health care plan that works very well and other States—they may change it and alter it somewhat.

In welfare reform, I think that creativity, that competition between States and utilization of new ideas, trying different approaches, will end up ultimately forcing us to have a better system. And I think the same is true with juvenile crime and juvenile crime prevention, and in solving the delinquency problem. I think if States have the opportunity to try different things to solve problems, and who is to say what the simple answer is, what the best answer is, what may be for this State is something different than it is in New York City. Fortunately, we are not in the shape that New York City is in and we do not intend to get in that shape.

But then we can transfer ideas. In Congress, one of the frustrations I had was that there are those who think they know everything. There are those up there who think that they know better for our citizens than what the citizens know for themselves or what the State leaders think will work.

So I appreciate the leadership you have given to a lot of States to do things differently to allow us to try to solve problems and then nationally share the information. It is not a waste of the funds. It will work and I think the citizens have more faith and confidence in a government than they have for the save and share of most of the responsibilities.

I would urge that you give us the maximum flexibility. For instance—one last thing, though, and that is I do not have any problems with measurable results with some form of qualifying process in the Federal Government to the State. I do not have any problem, for instance, with what the Governors did when we talked about making sure that we took care of everyone of the elderly and infants in our health care system. We are going to do that anyway, as long as there are reasonable standards that we have to achieve.

Setting goals and measuring our progress, I think is an important part of the process to the extent we can be innovative and we can be creative. I think you are going to have a better investment for your money, and at the same time, I think we will be able to balance the Federal budget because we will be willing to take less money with the flexibility that comes with that and you will save money, and I know that is one of your goals to move for a balanced budget. Frankly, there is no other way of doing it than to cut out the bureaucratic policies and the needless reports and the "Mother, may I?" thing.

Senator THOMPSON. Governor, it makes a lot of sense and we appreciate you being with us here today.

Governor SUNDQUIST. It is a privilege for me to be here, particularly in this room with you, and I congratulate you on all you are doing in Washington. I cannot think of a more important committee to deal with problems that we face in society today than this committee. I hope you will extend my greetings to Chairman Hatch as well.

Senator THOMPSON. Absolutely.

Governor SUNDQUIST. Thank you.

Senator THOMPSON. Thank you very much.

Mr. Hattaway, we are pleased to have the commissioner of the Tennessee Department of Youth Development with us.

Do you have a statement that you would like to share with us?

STATEMENT OF GEORGE W. HATTAWAY

Mr. HATTAWAY. Yes, sir. Senator Thompson, it is a pleasure to be here and I certainly appreciate the opportunity.

I would like to follow up just a little bit on some details on what the Governor said and some things that we are trying to do and some things that are hindering us a bit.

I began working in the criminal justice system in 1966. Back then, as the Governor said, we saw children arrested for vagrancy, joyriding, sniffing glue and truancy. So much for the good old days.

We move to 1996 and we see kids carrying guns to school. We see teachers being killed by students. A 16-year old rapes and murders his grandmother. Two teens murder another student at an ATM in Nashville for $50 and $20. These are the kind of kids we have coming into our system here in Tennessee and the Department of Youth Development.

Murder, armed robbery, rape and assault. Meet the new juvenile offenders of the 1990s, Senator. Tennessee Department of Youth Development, along with great assistance all across this country, is observing a precipitous increase in the number of young people committed to its care for delinquent acts.

The most disturbing increases are observed in those who have committed violent crimes, which we are seeing everywhere as you move across this country. Adult violent crimes are no longer increasing at a faster rate than overall crime rate. The number of violent youth committed to our care right here is a percentage of our total population and has increased dramatically.

Virtually, all of the increases we observe are due to violent crime in Tennessee. Limits for nonviolent crime only rose 3 percent from 1990. Limits for violent crime, assault, serious drug charges, murder, robbery, rape, weapons charges, rose by 73 percent. In 1990, 26 percent of our commitments were for violent crimes. In 1995, almost 40 percent of the commitments were for violent crimes.

To give you an example of one particular offense, the number of youth committed to us for weapons-related charges increased by

369 percent in the last 5 years. Although the definitions for violent crime differ across jurisdictions, this same pattern is being observed all across America.

The situation we face in Tennessee is one of gearing up to deal with the increasing amount of population, the violent predator that is coming into our system. We are not forgetting that the majority of offenders who come through us, approximately two-thirds still come from more traditional nonviolent offenses.

With limited bed space and having to set priorities and an increasingly diverse population in terms of the nature of offense and the age of the offenders, we must adopt increasingly diverse strategies and diverse programs.

Some of the programs we have undertaken to try to deal with this problem in Tennessee recently. First, we are going to ensure that communities are protected from the violent offenders by placing them in our institutions with intensive rehabilitation programs for as long as is necessary.

We are currently discussing a regressive replacement therapy program that was developed by Dr. Arnold Goldstein in each of our institutions. Regressive replacement is used widely across the country and is a systematic program of learning how to substitute stop-and-think strategies aimed at controlling more reasoning for physical aggressiveness and violence.

It is based on the fact that a certain class of offenders and aggressive juvenile offenders have been shown to commit such actions have never been taught any other way to deal with their problems. It is too early to conduct outcome studies on the effectiveness of this training but we do know in west Tennessee in the Wilder Youth Development Center, it has resulted in a significant reduction of physical violence within the facility. Within the last year, we have had over 132 assaults on our staff by violent kids that are in our institutions.

Second, we are developing specialized treatment programs for problems in juvenile offenders which we know are associated with violent crimes, alcohol, and drugs—60 percent of the kids coming into our system have either alcohol or drug problems.

What we have done is we have set up a special unit in the Youth Development Center to deal specifically with these kids, staffed by mental health professionals. This has resulted in a tremendous increase in the number of kids who have successfully completed our program and going out into the community. Out of 80 students, only 17 students have returned to this program.

Also, we are starting a project called Fresh Start where we are using the aggressive replacement program to identify who the serious offenders are and who the low-risk offenders are. We think that we have to divert low-risk offenders in the community based programs where they can function effectively and be more cost effective. We maintain those serious violent offenders in our institutions.

Also, Senator, we realize that the local communities have been able to develop diversion programs, prevention programs, like the ones the Governor was eluding to, in over 21 of the juvenile courts in this State, which have kept kids from coming into our system. We hope that as a result of superb testimony today, we can take that cause to Washington and you can help us get that funding back for these courts. There is an amazing amount of kids that they have kept out of the system and probably will never come into the system because of the work of families and children at the local level.

[The prepared statement of Mr. Hattaway follows:]

PREPARED STATEMENT OF GEORGE W. HATTAWAY

If you will allow me to take you back to the years when the majority of us in this room were teenagers, when Buddy Holly was rock and roll, when sock hops were cool and on Friday night everybody cruised around town. In those days teens were in trouble for minor crimes such as joyriding, trespassing and unruly offenses. Forty years later, it has changed. In 1980, the majority of crimes being committed by juveniles were grand larceny, vehicle theft, petit larceny and runaway. Today, our children are facing an even tougher environment. Classmates bring guns to school and they are killing our teachers and friends. The youth of today face a society where their friends are committing crimes like murder, rape, aggravated robbery and assault, carrying weapons and drug trafficking.

Feedback from our field workers reflects these trends. We are seeing a completely different kind of juvenile offender in our custody—starkly different—even from the kinds of kids we were seeing only 10 years ago. These children are more violent. Many show little or no remorse for their actions, are more aggressive, and "street wise." Most seem to have little or no spiritual influence in their lives. More than half are alcohol or drug abusers. Their problems are increasingly being described as "multi-dimensional" and log term in nature.

The Tennessee Department of Youth Development, along with youth correctional systems all across America, is observing a precipitous increase in the number of young people committed to its care for delinquent acts. The most disturbing increase is the youth committed to our system for violent crimes. Violent crimes among youth are increasing at a faster rate than the overall crime, the number of violent youth committed to our care has increased dramatically during the past five years.

In the past year there were 1811 youth committed to our care. This is an increase of 14% and an increase of 21% from five years ago. Since 1990, commitments for violent crimes—assault, drugs, homicide, robbery, sex related offenses and weapons charges—rose by 73%. To give you an example of the increase of violent offenses and the type of youth we are looking at, the number of youth committed to us for weapons related charges increased by 369% during the past five years. Every system in America is experiencing similar patterns in juvenile crime.

Thus, the situation we face in the Tennessee Department of Youth Development is one of being prepared to deal with this increasingly violent population while at the same time not forgetting that the majority of offenders who come to us, approximately two-thirds, still come as a result of nonviolent juvenile offenses. With limited bedspace and an increasingly diverse population in terms of the nature of the offense and the age of the offenders, we must adopt increasingly innovative strategies with alternative programs.

What is the Tennessee Department of Youth Development prepared to do to lower the violent crime rate and prevent the youth of our State from being committed to our care?

First, we are trying to insure that communities are protected from violent offenders by placing them in our youth development centers in intensive rehabilitation programs. We are currently conducing the aggression replacement training, developed by Dr. Arnold Goldstein and associates, at each of our four youth development centers.

Aggression replacement raining has proven successful and is used widely in youth correctional systems across the United States. It is a systematic program in training youth how to substitute stop and think strategies, anger control and moral reasoning for physical aggression and violence. It is based on the fact that a certain class of violent and aggressive juvenile offenders have been shown to commit such acts because they have never been taught any constructive strategies for dealing with conflict.

Some violent and aggressive youth have already developed hard core anti-social personalities and such training is less effective with them. However, for youth who commit violent and aggressive acts largely as a function of peer influence and for whom violent and aggressive behavior has not yet become ingrained, aggression replacement training has been shown to be effective.

An example of the effectiveness of aggression replacement training is a young man who completed the program at John S. Wilder Youth Development Center. In the beginning he was a constant source of disruption, extremely hostile, and noncompliant. He was placed in the aggression replacement training program when he threatened to kill a staff member. After months in the program, he began to change and show progress. His hostile, aggressive behavior ceased, so much that counselors began using him as the primary role model for group sessions. This program helped this young man to gain self esteem and he was able to find pride in himself after learning to write his name in cursive. This young man was released in the summer of 1995 and continues to successfully participate in our aftercare program.

The first center to implement the training, the John S. Wilder Youth Development Center in west Tennessee, has witnessed a significant reduction in physical violence within the institution.

Second, we are developing specialized treatment programs for problems among juvenile offenders which we know are associated with recidivism and violent crime. Our residential alcohol and drug treatment program, implemented almost three years ago, at the Mountain View Youth Development Center in Dandridge, Tennessee is one such program.

This program is staffed by certified substance abuse counselors and other mental health professionals who also have correctional experience. Students are housed together on a special unit for a 90 day twelve step program designed specifically for juvenile offenders. After completion of the program, they return to their regular units to complete their sentences and then are released to an intensive aftercare program. This program is operated by a local mental health center under contract to our department.

One particular young man who successfully completed the A&D Program at Mountain View did not begin that way. This young man began his delinquent status at the young age of 13. By age 16, he was committed to the custody of youth development for aggravated armed robbery, escape, marijuana and cocaine charges. The young man entered Mountain View in 1993, completed the A&D Program and was released in 1995. During this time, things were not always easy for this young man. He displayed attitude and disciplinary problems. After completing the A&D Program, he became the editor of the student paper at Mountain View. Upon his release, he attended Pellissippi State and is currently employed by a major telecommunications company.

To date, 84 students have been graduated from this specialized program and only 17 students have returned. This compares favorably to national recidivism rates in similar programs of 50% and more.

Third, we are instituting short-term programs for nonviolent offenders so that they do not occupy bed space in hardware secure settings and do not cohabit with more serious offenders.

We have just begun an accelerated program at Mountain View Youth Development Center. This is a short-term, highly intensive, highly structured program for nonviolent offenders. During the normal classification process, youth who meet the criteria for this program are observed. If their behavior is without incident and they have committed no assaults or other rule infractions, they are enrolled in the program after being in the institution for 30 days.

During the program they receive all the services that students receive in the regular programs—special education instruction, aggression replacement training, individual and group counseling, family counseling and supervised recreation—but in a much more intensive and regimented fashion. We expect higher levels of participation and responsibility from these students. We also expect them to be more actively involved in their own rehabilitation program than our average student. In fact, one of the criteria we will use to discharge them is the level of initiative they have shown in their own rehabilitation.

Upon completion of the program, they are stepped down into one of our community group homes, where the family and the student receive counseling. School officials prepare for the student's full re-integration into the community. The last step in the process is for them to step down to an intensive aftercare program in which they will be seen by a counselor three to four times each week.

We believe that for a certain segment of our population, this accelerated program will offer more effective rehabilitation at a considerably lower cost to tax payers.

We are continuing to develop community-based prevention programs and intensive aftercare programs to stem the flow of offenders into our youth development centers and reduce recidivism in those who are released from our centers. The Exit and Homebase Programs provided by the Helen Ross McNabb Center in Knoxville are examples of such programs.

Both of these intensive aftercare programs operate in high crime areas and utilize the specialized services of community mental health professionals in conjunction with our existing field services staff. Special teams of mental health counselors are assigned to high-risk offenders and their families who are released from youth development centers. They are deemed high risk because they live in high crime areas, because they have lengthy prior records or because they have special mental health needs. All of these risk factors have been shown to contribute to high recidivism and, in the absence of intensive intervention, suggest that offender's likelihood of again engaging in criminal behavior is almost certain.

Allow me to provide an example of how effective these programs are. There is a particular young man that comes to mind. He was accepted into the Homebase Program in April. He was charged with reckless endangerment by shooting into a residence. His prior charges included: Possession of a knife at school, assault, and vandalism. He was designated a serious habitual offender. The young man's father was physically and verbally abusive to family members. The boy said that he hated his father and would kill him if he ever hit his mother again. The boy was mad at the world. He described his own anger as being out of control and admitted that he was scared because he often acted like his father. The young man completed the Homebase Program in 32 weeks. During the program, he remained focused and worked hard to improve himself. He voluntarily attended aggression replacement training groups and would frequently call his counselor when he had applied his new skills. He completed 10 hours of community service, consistently attended school, tested negative on random drug screens, checked in for curfew regularly, and paid all court costs and restitution owed. The young man's father voluntarily sought counseling and was taking medication to help control his rage. One thing the young man learned from all this is that he can only be responsible for himself and he had no one else to blame for his actions.

Both the Exit and the Homebase Programs have been in operation for about two years under a Department of Justice grant.

All of these objectives and programs are dependent upon placing the right offender in the right program—violent offenders must go to long-term intensive programs, while still other low-risk offenders must go to short-term intensive programs, while other low risk offenders can remain in community settings under intensive supervision.

Last, we have Lift Academy, our model day-treatment program in east Tennessee. this program is a partnership between our department and two local school systems. Lift Academy serves as an alternative to suspension or expulsion for high risk problem students who demonstrate antisocial behavior in local schools. This year, 78 students were referred to us, only two were unsuccessful and placed in State custody. Students who are referred to Lift Academy receive individual attention, self-paced instruction, leadership training, counseling, parent groups and a student centered climate. I recall a particular student who worried as the weather worsened for fear her alcoholic mother would go out and wreck their automobile and/or harm herself. She brought prescription drugs to school to prevent her mother from taking them. This child had been truant and earned poor grades when she attended regular school. Arriving at Lift she displayed a defiant attitude, refused to do her school work, was impulsive and immature. The young woman used crude language and mannerisms. She habitually cursed at staff and other students. The child was socially deprived and demonstrated no desire to change. However, our staff was able to reach her. She became interested in improving her life by obtaining a high school diploma and becoming a beautician. With the counseling and encouragement from Lift's staff, she struggled to earn a special education diploma, attend beauty school and passed her State board examination. Considering the fact that during the period in which she struggled to make it, the young girl had a baby. She still managed to achieve her goals and become a responsible parent without receiving AFDC, foodstamps or Tenn Care.

The bottom line is this: The State of Tennessee is making positive changes in the way the we deal with juveniles. Children are our future and we are duty bound to carry out our mission. We are going to make a difference in the lives of youthful offenders in Tennessee.

Senator THOMPSON. Thank you very much, Mr. Hattaway.

Ms. Rita Wadley, Commissioner of Public Health, I appreciate your filling in at the last minute here.

STATEMENT OF RITA WADLEY

Ms. WADLEY. Thank you, Senator.

Well, first, I wanted to talk about a new Governor's community prevention initiative and it is—most people are becoming aware that violence is a public health problem. Public health people think about things like, "What is causing it? What are some of the prevention factors?" We have talked about some and they have been mentioned. We talked about that yesterday in Memphis. And so this initiative, the Governor's Community Prevention Initiative, is basically about doing business differently. It is about, "How can we use prevention dollars from the Department of Health categorically but from several other entities of the State? How can we prove that?" And it is also about letting communities get involved in solving their own problems.

And the way that it started, we were looking within the Department of Health at some of the major problems that we were addressing with the State; for example, drug abuse, student dropouts, teen pregnancy, youth violence, and children coming into State facilities. And what we recognized is, what has already been shown, that for these problems, children early on, we can often see the same risk factors for all of them.

But more importantly, we often can see what we call the resiliency factor, what those children have that did not develop properly. What is protecting them from their problems? And we have shown that those factors, those resiliency or productive factors can be given in the family, and that is the best place; in the family, in the school, in the community. And they basically revolve around caring and support, first, high expectation, second, and in getting the children actively involved in something.

But very importantly, it has been shown that you need to do this before that child is 12 years of age, when that peer group really takes over for influencing. So we knew all of this. We said, you know, it is a shame, because if you look at our funding—we know from the studies that we need some very generic funding and pledges.

And if we look at our funding, we also know that there is a dab here and a dab there and maybe the ones that get it are the ones that put together the best grant and maybe not necessarily go into the community with the greatest need. So we began to look at, "Can we pull some of these dollars together, not only within the Department of Health, but in other areas, like, you know, drug prevention, violence, education?"

Children and youth had projects that operated on the same philosophy that we were thinking about. And we looked at this and also the juvenile justice delinquency prevention funds and started bringing these together and doing some early intervention that will actually impact on every one of these problems that we are talking about.

But the next thing we wanted to do is we wanted to get the community involved in that process and not do competitive grants. We are saying to the communities,

> We want you to come together and everybody that is involved in these issues, sit down at the table and we will help you identify the resources, the indicators for these type of problems, even help you identify some successful programs across the country. Then you can prioritize what your needs are in your area and you can determine how you would best spend these funds that we have pulled together.

The big process, using that community process, has far more than just the dollars that we are putting into it. We have already seen, for example, here in Nashville a community initiative that was chaired by the United Way, how successful business leaders actually pulled together just to kick it off with private donations of $1.5 million. But the collaboration to bring other people to the table and bringing their resources to the table with their problem was remarkable. So what we hope to do through this process is get that same community awareness and involvement so that we have even far more than what grant dollars that we have laid on the table.

We think the potential is really significant because when there may be new dollars that could go for prevention in those areas or if there is new dollars in the future, instead of creating another mechanism, we want to go ahead and go through the same system. We think it is a great step for children and youth but a significant step for Tennessee in resolving some of these juvenile problems.

Senator THOMPSON. Is this a part of the Children's Plan?

Ms. WADLEY. It certainly came out of thinking about that and what—some of the money is coming through there, but it is basically the Department of Health and the Department of Education, Children and Youth, Children's Plan. All of us trying to do what we can to put some dollars on the front end and to do, really, prevention, true prevention, primary prevention. And I think that is probably what we are so proud of. It is kind of hard sometimes to coordinate those dollars when you are one department.

Senator THOMPSON. Yes.

Ms. WADLEY. And you cannot cross departments.

Senator THOMPSON. There is in the State, the Department of Education money.

Ms. WADLEY. We have 6 million in Tennessee going for drugs and alcohol abuse.

Senator THOMPSON. Drug and alcohol abuse and Mental Health Department. And on the Federal level, basically title V I guess, with the Juvenile Justice Act. Those funds. You are calling for more leeway. It sounds to me like, basically, when you put State money in there, it is more or less like seed money to draw the private sector in.

Ms. WADLEY. That is right.

Senator THOMPSON. And I think we are seeing more and more of the private sector getting involved in the volunteers and private contributions and so forth.

Ms. WADLEY. I mentioned the United Way for a project here. We met with all the CEO's of the United Way across Tennessee to talk about this project and they said, "I love this. How can we be a partner with you?" So we are not only looking at partnering of State government and a partnering with the community, we are also looking, "Are there other partners like United Way agencies, potential donors at the community level that want to get involved in this?"

Senator THOMPSON. And then when the Federal Government is involved, we are going to be a senior partner?

Ms. WADLEY. That is right. Now, one of the things that is difficult about this is you just do not pull this money together and say, "We have got a big pie." Each one of those little pots of money that comes from the Federal Government has some guidelines attached to it and they do not all match up. So you have got to be very creative and careful how you can utilize this money and pull it together but still meet all this Federal guidelines for those categorical funds, as you were saying.

Senator THOMPSON. Because you cannot give local communities the leeway of those title V funds.

Ms. WADLEY. That is right. No.

Senator THOMPSON. You have to satisfy Washington separately as to——

Ms. WADLEY. That is right.

Senator THOMPSON. And they are basically four mandates right on the front end that they have got to comply with. And what you are saying is—with regard to every title or every Federal pot of money that they can draw from, there is an application process that you go through. And I notice here that you are even having application grant classes that——

Ms. WADLEY. That is right. To be able to do this, within the State government, we have trouble figuring out where the money is and how you go about getting it.

Senator THOMPSON. Federal money?

Ms. WADLEY. Federal money. And when you are trying to get the community more involved in this process, you do have to bring them together and help them through that process to know that some of them have requirements that you have to meet to get the money. So it is not easy, but we figure having it spread out and not coordinated, you really do not get as much for your dollar as you could if you bring it together.

Senator THOMPSON. So what you are trying to do is bring all of these Federal programs together, at least understand them, and take your State programs, bring your local people in and explain to them what is available and what they have to do to get it?

Ms. WADLEY. That is right.

Senator THOMPSON. That is an awful lot of work to get, sometime, relatively little amount of money, I guess, is it not?

Ms. WADLEY. That is right. And that is the reason——

Senator THOMPSON. And a lot of people do not bother.

Ms. WADLEY. That is right, too.

Senator THOMPSON. Right.

Well, let's go back to something the Governor mentioned, specific problems that you were appealing with regard to those mandates.

Mr. Hattaway, are you familiar with that particular situation?

Mr. HATTAWAY. Yes, Senator. It was title IV–A money that the Children's Plan had used to fund some programs in 21 different counties across the State to reduce the number of children coming into State custody. They did this through setting up alternative schools, boot camps, family preservation programs that they knew would work in their local communities.

Senator THOMPSON. Now, was this title V money? Do you know? Or was it Juvenile Justice?

Mr. HATTAWAY. It was IV–A and IV–AT. IV–A and IV–AT funds that they had run through the Children's Plan.

Senator THOMPSON. OK.

Mr. HATTAWAY. And it amounted to about $13 million that we were able to fund programs and in northwest Tennessee, four juvenile courts that had the highest commitment rate in the State were funded with these money because they knew what their problems were and they gave them the flexibility to do whatever they wanted to, the State did, as long as they reduced the commitments of children coming into care and were successful with it. As of right now, after 2 years of funding, that is the lowest commitment rate in the State, are from those counties that were funded with some of this money.

Senator THOMPSON. Basically, what were they doing with the money?

Mr. HATTAWAY. They were setting up alternative schools for children who could not function in the public school system. They had reduced, in Alamo, TN, for example, any kid being expelled from the school system because they took them into their alternative school program which had a strong disciplinary counseling components, also working with the families of those children teaching communication skills, negotiating skills, how to deal with these kids. And they kept those kids out of the criminal justice system. They were high risk kids who could not function in the schools, disrupting public schools. So it was a win situation for the schools to get these problem kids out.

Senator THOMPSON. They had not gotten into the criminal system yet?

Mr. HATTAWAY. That is exactly right.

Senator THOMPSON. So that is prevention activity?

Mr. HATTAWAY. This is right. It was total prevention, and what we have found, Senator, is that if we can keep the kids out of the institutions, their chances of being successful have increased by about 50 percent. Because once they have come into those juvenile institutions as hard core criminal offenders, their chances of being successful are reduced about 50 percent.

Senator THOMPSON. So what happened?

Mr. HATTAWAY. So in midstream, after this funding had been awarded and was being utilized successfully, a statement was received saying, "Well, we have decided that really the types of children that you are dealing with who have behavior problems; that is, delinquency actions in some cases, should not quality for this money." But they qualified for it earlier. They said, "This is crisis money."

Well, when a child is having a problem in school and gets kicked out, it creates a family crisis. I think what happened was that someone somewhere in Washington decided to change arbitrarily the decision to fund these programs, after they had already agreed to fund these programs previously.

So what it has done, it has created a crisis for not only the courts of Tennessee, it is going to create a crisis for the criminal justice system if these children are not diverted and come into the system and are eventually committed into institutions because they are not going through these prevention programs. And you will have, Senator, there will be some people here today from those counties and there is a representative here that represents some of those counties and he can really speak specifically about how successful those programs were down in his area. And we have a copy of the transmittal that was sent for you.

Senator THOMPSON. This is something we definitely want to look into separate and apart from these hearings. It sounds like a classic problem that you have all the time with these kinds of programs.

Mr. HATTAWAY. The interesting thing was that they were not arguing about our success. They were arguing about the category of the kids being successful.

Senator THOMPSON. They had already approved funding. How much of the funding was from the Federal source?

Mr. HATTAWAY. Seventy percent.

Senator THOMPSON. Seventy percent of it?

Mr. HATTAWAY. Yes. It took a lot of money.

Senator THOMPSON. So what is happening in the meantime? Are you appealing this within the——

Mr. HATTAWAY. Appealing it in the meantime and the State has continued to fund these programs hoping that we can get a favorable response to our appeal. And we were also hoping to come here today and ask you to talk with us try to solve the problem. This could become a real tragedy. As the Governor says, "If we can work with kids early and prevent them from ever coming into the system, work with the families, as Rita was saying, we solve problems." Once they get into the juvenile justice system, sometimes it is almost too late.

Senator THOMPSON. Are you familiar with the application process of these title V?

Mr. HATTAWAY. I was not included in that process. I think it went through the Department of Human Services originally and the Children's Plan.

Senator THOMPSON. Ms. Wadley, are you generally familiar with that process?

Ms. WADLEY. No, I am not.

Senator THOMPSON. I think that is one of the things the community probably has a great deal of knowledge about. Generally, what seems to be developing in the country is that the State will always be on the front line as far as handling the crimes and the delinquencies. And, of course, you have got your hands full with the juvenile part of that but it is a growing part and the State legislature and the Governor are taking some measures that deal with the crime part of it.

But on the Federal side, it seems like more and more of this concentration on preventing moneys and that basically is what title V is, prevention money. But they have certain mandates, certain things that you have to do on the face of them. They are not really things that most people would want to argue with. Separation of juvenile and adult offenders and removal of juveniles from adult jails and lockups and there might be one or two that people could argue with or that causes a problem that makes it such a problem that you do not apply it to the fund anyway. It is just not worth the effort. And there is an application process the State, now, is having classes to bring people in to learn. That is what it has come to in a lot of areas now, to learn to use the right words to make the application look as good as it possibly generally can, I suppose.

And the question is whether this is the best way to do it? Should there be more or fewer strings attached to it? And not to mention the funding levels. I look at some of these levels. Some of these communities are getting maybe $30,000 or less. Some of the bigger towns get a lot more. That is $30,000 they did not have but how much of a problem are you addressing by sprinkling $30,000 on a real serious ingrained problem?

So that is why we are taking a look at the whole thing, what is working and not working and how best can revenues be utilized from the Federal level?

Do either of you have any additional insight or input in regard to all that, based on your experiences, even though you might not deal with that process on a day-to-day basis?

Ms. WADLEY. I would say that what we are trying to do with this initiative recognizes just what you said. There may be a grant out there for alcohol and drug abuse for $10,000, $12,000, $50,000. OK? Depending on everything. One out there for adolescent pregnancy is small. One out there for violence. And when you recognize that those dollars are very small for a significant problem, if you can begin to pull some of those dollars together to have a significant program, then I think your dollars will go further.

But, again, as we have said before and you have clearly pointed out, when you start pulling together dollars from several different Federal grants and titles and all, that becomes even more complicated. I think that is what the Government is saying is we recognize there have to be some, but the more flexible you make it for us, maybe the more we can combine as prevention dollars and have programs that impact all of these problems.

Senator THOMPSON. Well, I appreciate those thoughts very much and perhaps at the Federal level we need to start coordinating the way that you are beginning to do on the State level and instead of handing small amounts, relatively small amounts of money like with the categories at the Federal level, we might make it easier for States and communities to apply for, maybe, just a couple of basic programs that we know work.

Mr. Hattaway, you deal with young people from, you might say, the range of delinquents, in the classic sense of the word, to pretty hardened criminals.

Mr. HATTAWAY. There is no question. We have all kinds of criminals.

Senator THOMPSON. Some of whom you could possibly turn around. Some of whom there is probably no hope. How does the State deal with that? Do each of these youth development centers have people in these various categories that they have to deal with separately? I know with regard to your lesser offenders, you try to do that on a community basis or a noninstitutional basis and so forth, but how much diversity of a problem do you have within these development centers? I am not trying to meddle in State business. I am trying to see whether or not there is some additional ways that these funds can be utilized to help the problem.

Mr. HATTAWAY. Right now, we have—each institution has a large diversity of types of defendants. We have one institution where we try to transfer the seriously chronically violent offenders.

Senator THOMPSON. That is Taft?

Mr. HATTAWAY. That is Taft. But we do not have enough room to transfer all of them there. So what we are trying to do now is, and we had someone come in several—2 years ago, Senator, to look at every child we had in our institutions. The result was, "You have got too many kids in there to function in community programs."

That is why we wanted to go to prevention and divert as many kids in the local community as we could that could function, that are not violently serious offenders. But what has happened, a lot of times judges in rural counties have no alternatives to incarceration in their communities. There were no programs from the Tennessee River to Memphis. There were two programs for juveniles.

So what has happened is, a lot of kids are coming in that do not need to be in there. So now that we have set up some prevention programs, we have reduced the number of nonviolent offenders in there. And what we are doing now is, with the help of some consultants of the National Council on Crime Prevention, we have developed a recent assessment tool [AT] that we are going to use in conjunction with the courts to decide who the violent offenders are, divert them into long-term programs and institutions, and the lower risk kids will go into accelerated short-term programs in certain institutions. That is how we are going to try to deal with that.

But the prevention money is the key if we can just provide enough opportunities in local communities to give judges help in treating kids.

Senator THOMPSON. All right. Let me play devil's advocate here for a minute. You say prevention is the key and we all talk about prevention and we are all for it. Do we know enough about it yet? Have we been at it long enough or do we have a system to tell whether or not it is doing any good at all?

Mr. HATTAWAY. We know with certain types of kids that 80 percent of them are successful in prevention programs for a year. We do not know if they are going to continue to be successful for the next 4 years because we do not have long enough studies. But we also know that those are those low risk, nonviolent kids that are successful in those programs.

We also know that there are some serious violent predators in those institutions that I doubt that anything is going to be successful for them. And what our risk assessment showed us, it was pretty much falling out like a bell shaped curve on everybody that we did the assessment for in the institutions. There was a certain percentage, about 15 or 20 percent, that are violent, vicious criminals who probably need to be in the adult system. And then there was a segment in the middle that could go either way depending on how much treatment and how many different resources you could bring in on those kids. And then there was probably 15 percent that we could deliver into the community within 90 days and they can function in group homes and out-care programs.

But I do not think that scientifically we can say specifically with any kid you can automatically be successful. But with this projection from this recent assessment tool we have, statistically it has shown that we can identify about 70 percent of the time who will be successful in community programs, and it is better than a guess.

Senator THOMPSON. We haven't been talking about this a long time but we are going to have to move on. I want to thank you for being here. You are doing, certainly, the Lord's work in a very important area that up until recently has been under-appreciated. We appreciate what you are doing and you have been very helpful to us today and you know it is not just me. This hearing is being recorded and a transcript is being made and will be made available to the entire committee and this testimony will be helpful in our deliberations.

Thank you very much.

Senator THOMPSON. We will ask for our next panel.

I appreciate your being with us here today.

Ms. Harwell, would you like to begin? Do you have a statement that you would like to make?

PANEL CONSISTING OF HON. BETH HALTEMAN HARWELL, STATE REPRESENTATIVE, STATE AND LOCAL GOVERNMENT COMMITTEE; HON. DOUGLAS HENRY, STATE SENATOR, SPECIAL SELECT COMMITTEE ON CHILDREN AND YOUTH, AND CHAIRMAN, FINANCE WAYS AND MEANS COMMITTEE; AND HON. PAGE WALLEY, STATE REPRESENTATIVE, SPECIAL SELECT COMMITTEE ON CHILDREN AND YOUTH

STATEMENT OF BETH HALTEMAN HARWELL

Ms. HARWELL. Yes, I do.

First, I would like to express my appreciation, Senator Thompson, for reversing the trend in going to Washington to testify and instead visiting the Nashville community. I thank you not only for your interest in getting local government input, but for your willingness to travel to various communities to see firsthand how cities and States are working to solve the problem we face of violence among our youth.

As you can see from the first set of materials I distributed, the Tennessee General Assembly shares your concern about juvenile violence in our state and is actively working to solve this problem by addressing the key issues that are before our courts for prevention of illegal activity among our youth.

It is fundamental that at the local level, proactive early intervention programs be put into place and enough to handle juvenile delinquents before a life of crime begins. I believe strongly that Tennessee and these communities are best served by having the flexibility to determine how we can best address juvenile justice.

Frankly, Federal mandates and large bureaucratic programs are not working in the local towns and cities across Tennessee. We need cooperation from Washington to allow those of us closest to the problem to discover and administer the remedy for the society ills plaguing our State schools.

The second set of material is a summary of Governor Sundquist's Family First legislation, a proposal to overhaul our failing welfare system. As a sponsor of that bill, I believe it will address on the front end many problems that result in juvenile delinquency. According to the statistics, the profile of a criminal includes poor school attendance, poor early nutrition and health, and a single parent family situation. Experts maintain that family intervention is one of the best ways to prevent criminal behavior later on in life.

Our Family First welfare plan addresses these important issues like first moving parents to goal-oriented work plans. Children will be compelled to go to school not by the government, but by their parents who will face losing their benefits if unexcused school absences are being made.

Family First assures that children receive immunizations and health checks in order to receive government assistance. Moreover, the legislation deletes the destructive marriage penalty and encourages families to stay together and raise children in two-parent households.

Our law should encourage both children and parents to develop self-esteem and a sense of personal responsibility. I believe that all Tennesseans deserve nothing less, especially not in welfare citizens.

Currently, we at the State level have our hands tied as we must obtain waivers from solutions. Tennessee is poised to lead the Nation in reforming the welfare system but we need Federal cooperation. The Family First legislation seeks to aid in rebuilding America's most fundamental institution, the family. This is where I believe we must start if we are to truly address the problems that face our people.

Finally, I have distributed to you a very disturbing survey conducted by the Nashville Tennessean in a 10-part series entitled "Taking Back Our Kids." This study revealed disturbing findings among the self-esteem of our youngest children. This study found that less than 5 percent of the kindergarten children surveyed believed that they would be happy when they grew up. We must and can change this sad statistic.

Senator Thompson, I urge you to give us the means to fund both local programs. Please allow us the means to find the solutions that truly work. We in Tennessee are desperately concerned about how to help our youth. Please join us in our efforts by making it easier for those of us at the State and local levels to save the future of our State and our children.

Thank you.

[The prepared statement of Ms. Harwell follows:]

Prepared Statement of Beth Halteman Harwell

KEY JUVENILE JUSTICE AND RELATED LEGISLATION APPROVED BY THE 98TH AND 99TH TENNESSEE GENERAL ASSEMBLIES

One of the most alarming trends in Tennessee, as across our nation, is the rise in the incidence of juvenile crime. With the leadership of Governor Don Sundquist, the Tennessee General Assembly last year addressed this alarming trend by cracking down on juvenile crime, particularly in cases of the most serious crimes such as murder, rape and armed robbery. Our Legislature over the past two years has also approved new laws aimed at prevention and early intervention to guard against the rise of juvenile crime in our communities.

Following is a brief summary of what our state has done to combat juvenile crime over the past two years in the areas of guns and school violence, juvenile court reform and prevention.

I. Guns and school violence

Guns and Juveniles.—A death of a child is a tragedy under any circumstances. However, the death of a child due to guns, especially in our schools which are supposed to be a safe zone, is intolerable. In an effort to control the illegal use of guns by children and youth, Tennessee lawmakers voted to make it illegal for a juvenile to posses a handgun. The offense is punishable by up to 100 hours of community service work and the revocation of young offenders' driver's license for a year. Juvenile offenders on a second offense could get up to 200 hours of service work and their driver's license revoked for two years. Third offenders could face even tougher penalties, at the discretion of the judge.

Similarly, parents who recklessly provide a handgun to a juvenile will be held responsible under the new law subject to a Class D felony. The measure, however, stipulates certain conditions like firearm safety training and certain hunting provisions that will be exempt. HB 2152/SB 2459

Juveniles and Guns.—The General Assembly passed into law legislation that allows the courts to detain juvenile offenders charged with unlawful possession of handguns or carrying weapons, even if the juvenile has no previous record of offenses. HB 194/SB518

Gun Free Schools.—The Legislature gave approval to a sundquist anti-crime proposal that brings state law into line with the Gun Free School Act, to assure that children in our state's educational system are protected from guns to the fullest extent of the law. The new law requires that students who bring firearms onto school grounds be expelled for one calendar year from school HB 1790/SB 1777

School Searches.—Weapons in schools were also addressed with passage of legislation giving principals more authority to search students, visitors, backpacks, lockers and suspicious cars while on school property. This legislation was under consideration in our House of Representatives upon the tragic accident of a 13-year-old Nashville middle school boy who was killed by another student while watching a movie. Schools need to be safe zones where children can go to learn. This law aims to locate weapons before violent acts are committed. HB 2231/SB 1845

Juveniles/Schools. Another bill that became law last session authorized the suspension of school students based on any off-campus criminal behavior. HB 1215/SB 1576

Gang Clothing.—Legislators in Tennessee passed a law strengthening a state statute that authorized local education boards to outlaw school students from wearing clothing that denotes affiliation with a gang. Several local school officials testified during our Committee hearings that gangs are increasing in Tennessee schools every year, particularly in the urban areas. They also claim that teachers are seeing more students wearing clothes denoting gang allegiance. It is hoped that this law will send a strong message to these teens that gangs will not be accepted in our schools HB 2009/SB 1748

II. Juvenile court reform

Juvenile Court System.—A series of bills were passed during the 98th and 99th Tennessee General Assemblies making sweeping changes to our state's juvenile justice system. The new laws address the rising number of crimes being committed by youthful offenders. The first bill allows judges to determine whether children who commit horrible acts of violence like murder, rape and armed robbery should be tried and sentenced as adults, regardless of their age. Before, children ages 16 and 17 could be tried as adults, while youths 14 and 15 years old could be tried as an adult only for major violent offenses. This law allows the transfer of juveniles to adult courts whenever the judge determines it appropriate. HB 2866/SB 2850

A new law also passed during the 98th General Assembly deleting the requirement of a second acceptance hearing before a juvenile can be transferred to an adult court if charged with a violent crime. This measure helps victims of crime by eliminating repetitive hearings that rehash details of the crime. HB 2342/SB 1680

Another law revising juvenile court procedure says that once a juvenile has been transferred to criminal court as an adult, the juvenile court no longer has jurisdiction in all pending or subsequent delinquent acts or crimes charged against the juvenile, unless they are found innocent. This legislation keeps those juveniles judged not-treatable or delinquent from going back through the juvenile justice system where heavy emphasis is placed on rehabilitation. HB 2339/SB 1681

The Juvenile Offender Surcharge Act passed in 1994 requires a juvenile convicted as an adult of a violent crime to pay the rehabilitation, education and treatment costs when they are sentenced to the youth offender program. This new law helps young offenders to take responsibility for their actions while providing relief to their victims. HB2471/SB 2049

Legislation was passed two years ago opening up the records of juveniles charged with serious offenses. Before, these records were closed to the public unless a young offender was transferred to Criminal Court for trial as an adult. This law allows for public inspection in regards to the name, conviction and offense if a youth is 14 and over and is charged with first or second degree murder, or aggravated kidnapping. Psychological evaluations and other pertinent personal information will remain confident in order to protect the family of the young offender.

Another new act authorized photographs of juveniles under investigation of delinquent act. HB 2341/SB 1971

Juvenile Transfer.—Law passed by the 98th Tennessee General Assembly allows for the transfer of more violent juvenile offenders to adult court for trial there. The law before allowed prosecutors to transfer juveniles if they were successful in their attempt to rape, murder or severely harm their victims; whereas, this measure added those who attempt these serious felonies to be transferred to adult court. HB 1772/SB 1757

Lift the Cap on Juvenile Crime.—Included in last year's legislative package another bill lifted the $600 cap off the amount of money that juveniles pay in restitution for their crime. This statute lets the juvenile know that they will be held accountable for the monetary consequences of their crime, if agreed by the judge. HB 1777/SB 1762

Juvenile Records.—Serious criminal acts by juveniles could be considered in order to enhance, or stiffen, penalties if the offenders continue their life of crime into adulthood, under a bill approved by the General Assembly during last legislative session. HB 1773/SB 1757

Attacks Against Youth Development Guards.—Another bill addressing juvenile crime passed this year, increases penalties against juvenile offenders who attack Youth Development Guards HB 1815/SB 1804

Juvenile Prison Conditions, Serious Crimes.—Legislation that passed the General Assembly last year provided that juvenile offenders who commit serious crimes be housed under like conditions of adult criminals. This new law provides that juveniles who are tried as adults and who are detained or confined in an adult facility separately from adult prisoners, will abide by the same regulations and policies governing educational opportunities and conditions of imprisonment as the adult detainees who are guilty of similar offenses HB 330/SB 436

Choice of Facility.—Another bill passed allowed the Tennessee Department of Corrections to determine in what facility juvenile offenders will be housed in order to determine the most suitable prison to fit their crime and age group, as well as, to consider the safety of these young prisoners. Before state statutes mandated that these juveniles must be housed in the correctional institute closest to their home. HB 1787/SB 1775

Separate Units for Young Offenders.—Correctional facilities developed after January 1995 must have separate units for young offenders and adults. This law brings Tennessee into compliance with federal regulations, juvenile penal facilities cannot be in the same building or directly connected to adult prisons. HB 2343/SB 2168

III. Prevention and Early Intervention

Juvenile Delinquency Prevention.—Many important measures have been passed aimed at prevention of juvenile delinquency. According to statistics, the profile of a criminal includes early nutrition problems, abuse and/or neglect, early learning difficulties, absence from school, and a single-parent background. Experts maintain that family intervention is one of the best ways to prevent criminal behavior later in life.

The first bill addressing juvenile delinquency enacted the "Early Childhood Development Act of 1994." This new law expands family resource centers and funded the "Healthy Start" initiative. That new law made available for families of "at risk" children, counseling on how the family can help these youngsters get a better start on life. These services are targeted to areas with high numbers of children in foster care and to families that have been referred for child neglect. HB 2338/SB 2501

Juvenile Crisis Intervention.—Another law aimed at the prevention of juvenile delinquency is the Juvenile Crisis Intervention Act passed two years ago. This law sets up a pilot program, where a team of professionals will be on call 24 hours a day, to respond to crisis situations that involve troubled youth. The "Crisis Team" is designed to intervene and help resolve less intense situations to let the court deal with the backlog of more serious juvenile crimes. The law was modeled after a successful youth crisis program in New Jersey. HB 2834/SB 2534

Parental Counseling.—A similar law passed during the last two years, allows juvenile court judges to require counseling or treatment for parents or guardians of young offenders. This law seeks to head off more violent offenses by these juveniles by working with parents to get these juveniles headed in the right direction. HB 2340/SB 1682

DARE.—In another effort to address prevention of juvenile delinquency, the Legislature has strengthened the state's DARE program. DARE is a program for elementary school students to teach them about drugs and the consequences of its usage. It has been found that prevention, particularly at an early age, is much more effective than rehabilitation. One law that we approved two years ago established a statewide DARE program in Tennessee schools. HB 2798/SB 2717

A second law aiding this program designated ten percent of the proceeds of drug fines, and money derived from property confiscations of convicted drug offenders, to be used for DARE programs. HB 427/SB 1166

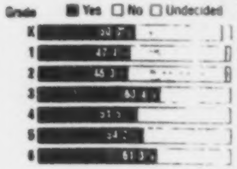
Violent Video Games.—The Tennessee General Assembly voted in 1994 to send a strong massage to Washington by approving a resolution urging Congress to regulate the sale of violent and offensive video games to minors. Parents across Tennessee have been alarmed at the graphically violent acts depicted in video games basically sold to children.

PART TEN: THE KIDS' TURN TO SPEAK

Half of youngsters have seen drugs, weapons

Kids and weapons

Here's what a group of Metro grade school students said when asked: Have you ever seen other kids or teens carry weapons like knives or guns?



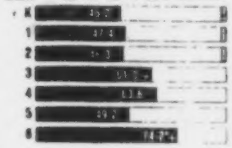
SOURCE Tennessean survey

Kids speak out

The Tennessean surveyed 285 elementary school children on topics including drugs and self-image. This is what they said

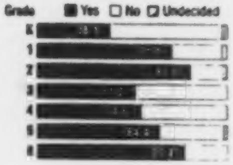
Exposure to drugs, alcohol

Have you ever seen other kids or teen-agers drink alcohol or use drugs?



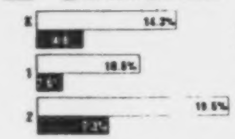
Knowing the law

If a classmate of yours does something like skip school or run away from home, can police officers take them to be punished in Juvenile Court?



Self-esteem

If a friend asked you if you think you will be happy when you grow up, what would you say?



SOURCE Tennessean survey

The TENNESSEAN

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Families First

- Basic Concepts -

Tennessee's ***Families First*** plan is designed to strengthen families, to improve the workforce, and to reduce poverty in the following ways

Work and Training

- Welfare families will have goal-oriented, time-limited, individualized work plans.**
- Sanctions will be imposed when a family fails to comply with the work plan.
- Welfare families will be given the opportunity to complete their high school education or GED and advance their skills with support services, provided they are working.
- Cash benefits will be time-limited and tied to goals achieved.
- As participants go to work, they will continue to receive transitional benefits, including child care assistance and TennCare coverage. Families may also receive Food Stamps and housing assistance, if eligible.

Personal Responsibility

- Welfare families will enter into a performance-based Personal Responsibility Plan which requires a work plan and the following:
  - Teen parents must stay in school and live at home.
  - Parents must ensure school attendance, including kindergarten.
  - Children must receive immunizations and health checks.
  - Parents, including teens, must attend life skills training.
- Custodial parents must cooperate in establishing paternity and in obtaining child support for their child or lose their benefits.
- Non-custodial parents must make regular child support payments or face legal action.
- Sanctions will be imposed when a family fails to comply with the Personal Responsibility Plan requirements.
- Adult recipients will be permitted to marry while participating in Families First.
- Cash payments will not increase as family size increases.

Practical Government

- Integrated & Streamlined Services
- Public & Private Partnerships
- Demonstration and Evaluation Projects

** **Exempt group:** Aged, disabled, incapacitated persons or those caring for a disabled relative in the home, and individuals who remain below 6.0 as determined by a functional literacy test approved by the Department of Education, will be exempt from work. New mothers will be exempt for the 4 months corresponding to the Tennessee Maternity Leave Act.

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FAMILIES FIRST

- Detailed Summary -

Families First will strengthen families by establishing firm but fair expectations of parents for work responsible parenting and support of their children In addition adults will be permitted to marry while receiving ***Families First***

Families First will build a better workforce by requiring work offering educational and training opportunities and providing case management for families

Families First will reduce poverty through work requirements carefully planned benefit packages and transitional services

I WORK AND TRAINING

- **Welfare families will have goal-oriented, time-limited, individualized work plans:**
  - -All non-exempt parents will complete an individualized work plan (as a part of the Personal Responsibility Plan) with a specific work goal time-frames and the steps necessary to achieve the goal of employment with an income sufficient to move the family from assistance to self-support in the shortest time possible
  - -Each plan will outline the steps necessary to reach the desired goal the help needed along the way and the penalty for failing to follow the plan
  - -Case Managers will monitor the plan provide assistance authorize support services and use empowering techniques to help assure success.
  - -Parents who claim a temporary or permanent disability or who must care for a disabled relative residing in the home will be excused from the work requirement if there is no possibility for employment Pregnant women will be exempt for a period that corresponds to the Tennessee Maternity Leave Act (for four months after birth)

- **Sanctions will be imposed when a family fails to comply with the work plan.**
  - -Failure to comply with the work plan will result in total ineligibility for the family
  - -Compliance will be required before the penalties are removed

- **Welfare families will be given the opportunity to complete their high school education/GED and to advance their skills provided they are working:**

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Families First

-Parents will be expected to work for at least 20 hours per week The remaining 20 hours must be spent in educational training or in other work search activities

-Many parents will go directly to work after completion of a brief life skills and job readiness class called ***Fresh Start***

-Adults who score 5.9 or less on a functional literacy test approved by the Department of Education will be exempt from the 40 hour work requirement until the adult achieves a score of 6 on this test

- **Cash benefits will be time-limited and tied to goals achieved:**

-At a minimum each parent must work 20 hours per week with a goal of full-time employment (Time-frame 1-18 months depending upon the individual work plan An extension of up to 6 months can be granted to a family residing in a county that has an unadjusted unemployment rate that is twice the unadjusted unemployment rate for the state as a whole) The remaining 20 hours must be spent in education training or work search

-Families will receive help in qualifying for the maximum Earned Income Tax Credit (EITC) monthly payment and in receiving housing disregards, possibly leading to home ownership

-Cash benefits are limited to 5 years in the lifetime of the non-exempt person

-Temporary cash assistance will be provided as long as the family otherwise eligible and is in compliance with its work plan and Personal Responsibility Plan and its income is below eligibility levels established by state law The state and family's goal shall be for the family to achieve an income level at or above the federal poverty level for a family of its size

- **As participants go to work, they will continue to receive transitional benefits, including child care assistance and TennCare coverage. Families may also receive Food Stamps and housing assistance, if eligible.**

-Transitional TennCare and child care assistance will be available for 12 months with an additional 6 months if approved by waiver

-Child care assistance will be based on a sliding scale, requiring the parent to contribute to the cost of care

-Food Stamps will continue to be available to these families as prescribed by federal law and regulations

-A temporary income freeze will be given to individuals living in Section 8 or public housing if a waiver is approved by HUD

-All families losing benefits will be visited by a public health professional who will assess their needs

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PERSONAL RESPONSIBILITY

- **Welfare families will enter into a performance-based Personal Responsibility Plan, which requires a work plan and the following:**
  - -Teen parents must stay in school and live at home
  - -Parents must ensure school attendance, including kindergarten
  - -Children must receive immunizations and health checks.
  - -Parents, including teens, must attend life skills training

  The plan will help reinforce parents' positive behaviors which benefit and reinforce positive outcomes for their children. School attendance will be monitored and enforced for all school-age children. Keeping children healthy through regular health checks and immunizations will help reduce TennCare costs and help assure healthier, happier children. Teen parents must attend school and live at home. Life skills training will include parenting, nutrition, self-management, financial planning and community resource awareness.

- **Custodial parents must cooperate in establishing paternity and in obtaining child support for their child or lose their benefits.**

- Non-custodial parents must make regular child support payments or face legal action.

  Child support is critical to reducing welfare dependency and moving families out of poverty. Cooperating with child support and paternity establishment will be strictly enforced. Absent parents have a responsibility to support their children. Aggressive pursuit of these payments can help reduce the need for welfare. All child support collections will be paid to the family to the extent permitted by federal law and state funds.

  Additionally, the state's improved child support program will:
  - -Increase child support collections and paternity orders
  - -Require employers to report newly hired employees
  - -Provide comprehensive automation of child support services
  - -Turn over delinquent accounts to the private sector for collection
  - -Re-engineer child support offices
  - -Revoke driver's and professional licenses of non-paying parents.

- **Sanctions will be imposed when a family fails to comply with the Personal Responsibility Plan requirements.**
  - -Failure to comply with child support will result in total ineligibility for the family
  - -Failure to comply with the immunization and school attendance requirements will result in a 20% reduction in the cash benefits
  - -Compliance will be required before the penalties are removed.

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- **Adult recipients will be permitted to marry while participating in *Families First*.**

- **Cash payments will not increase as family size increases.**

PRACTICAL GOVERNMENT

- **Integrated & Streamlined Services:**
  - -interagency collaboration and resource sharing
  - -Shared databases and computer networking
  - -One-stop-shops
  - -Better coordination of benefits, child support, and workforce programs
  - -Use of other resources, e.g., SSI, Social Security benefits, Pell grants, Vocational Rehabilitation, and GED

Many state and local agencies perform the same or similar services at different offices, with separate administrative oversight and with computer systems that do not interface or share data. Consumers of services must often go to several different offices to obtain the help they need. Creative integration of services will ensure conservation of resources, more efficient service delivery, and reduced bureaucracy. The Department of Human Services, HUD and Tennessee Housing Development Agency will work toward an income freeze when determining public housing rent costs for employed families. The Tennessee Housing Development Agency and the Department of Human Services will also develop a plan to encourage home ownership for ***Families First*** families. A non-reverting reserve from federal and state sources will be established to fund other preventive services and to supplement transitional services during periods of unanticipated economic downturns.

- **Public and Private Partnerships:**
  - -Child care
  - -Employment and training
  - -Child support
  - -***Families First*** Councils in every county

Reducing welfare dependency and building a better workforce can be accomplished only if the public and private sectors join forces and attack the problem together. There are many opportunities for state government to work with the private sector through coordinated partnerships aimed at service delivery, employment, and better use of revenues. Child care services are best provided by private child care agencies, entrepreneurial family day homes or churches. Employment and training services often are offered through a public/private relationship. The support of statewide religious affiliations and

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volunteers will be enlisted to assist with the development and delivery of support services Child support services in Tennessee are now delivered by a mixture of public and private contractors Local ***Families First*** Councils with private and public members will provide a forum for local collaboration and integration of services

- **Demonstration and Evaluation Projects**

Pilot projects will be developed and operated to test and demonstrate creative new methods of moving welfare families out of poverty at minimal expense A task force composed of workforce development professionals and employers will oversee the progress and make recommendations for expansion, continuation or changes

Independent evaluations will be made of ***Families First*** as well as of the special pilot projects

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FAMILIES FIRST

- Work and Training Components -

WORK PLANS

Work plans will be completed by:

- **parents,**
- **caretakers,**
- **teenagers not in school**

The goal for all Families First clients will be a full-time job at an income sufficient to move the family from cash assistance to self support in the shortest time possible Each person's work plan will be developed based upon their personal work history and education Work plans will state an employment objective with a specified time frame based upon an assessment Plans will include bench marks, clearly specified expectations as to attendance or participation in an activity, and a notice of penalties for failure to comply Available support services will be identified. Participants will be required to keep case managers updated on their progress If an individual complies with an activity and does not have income sufficient to move the individual off of assistance the work plan will be reassessed, and a new plan will be developed to continue moving the individual toward their goal See the attached Work Plan document for more details on work and work-related activities Individuals who fail to comply with their work plan will be sanctioned Teenagers who have not completed school must do so or pursue their GED

Individuals over 60 years of age those who claim disability or incapacity and any other exempt group will complete a Personal Responsbility Plan Those parents will also be expected to keep their children in school and demonstrate responsible parenting Except for the aged they will be expected to make suitable efforts to work if deemed employable

LIFE SKILLS TRAINING

Participants will include:

- **individuals who have not had life skills training (Fresh Start, Survival Skills, or other), and**
- **those with no recent work history.**

Life skills classes are reserved for certain groups who are unemployed, involved in job search or involved in education or job training activities Teen parents will be required to attend during the summer months Those attending 90% or more of these classes will not be sanctioned

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JOB SEARCH

Participants will include those with a minimum of:
- **a high school diploma or GED, and either unemployed or employed less than full-time, or**
- **participation in an approved educational or job training activity.**

Individuals assigned to job search shall make a specified number of employer contacts and document the results of each contact. If job offers are made, the client must accept bonafide employment unless there is good cause not to do so The case manager will monitor this activity to determine whether: 1) the client made the contact and completed an application, 2) there were job openings, and 3) a job offer was made

Initial job search will be limited to 8 weeks Clients who have not found a job in this period of time will be assigned to a job readiness class and an organized job club activity At the end of this activity, the individual will be assigned 8 additional weeks to job search with a job developer guiding the search activities If no job is obtained, the client will be assigned to 20 hours of community work experience for a period of 6 months in conjunction with job search

Training will be considered for those with no defined skill if at any point it appears clients are trying without success to obtain a job, and it appears that training would enhance their chances

ADULT EDUCATION and GED TRAINING

Participants will include those who:
- **have no high school diploma or GED, or**
- **have no recent work history that establishes an ability to earn a suitable wage.**

The work plan will require adult education/GED training for 20 hours per week in conjunction with life skills training, employment or job search Participants must attend at a 90% rate, must make satisfactory progress as determined by the teacher, and must complete the program during an established time frame for completion Unless the participant is determined to fall within a "temporary work exemption" described below, participants will be required to work or continue job search activities while engaged in training

TEMPORARY WORK EXEMPTIONS IN LIMITED SITUATIONS

Participants who test below a 6th grade reading and math level (5.9 or less) on the adult basic education tests (TABE or ABLE) will be exempt from the work/job search requirement and the timelimits. The exemption will remain in force so long as the participant is making satisfactory progress in the prescribed education program and until the 6th grade level is achieved. Others will be referred to State Vocational Rehabilitation if it is determined that their ability to achieve is limited due to physical or mental disability, as indicated by preliminary testing and teacher evaluation. As a result of the more sophisticated Rehabilitation assessment, some may be placed in more intensive rehabilitation training to overcome special work impediments; some may be placed in the permanent exemption as a result of a determined mental or physical disability.

Individuals who have a temporary incapacity may qualify for a short-term exemption. New mothers will be exempt for the 4 months corresponding to the Tennessee Maternity Leave Act.

JOB SKILLS TRAINING

Participants may include those who:

-successfully earn a high school diploma or GED and for whom training would enhance their ability to become self-sufficient, and
-could earn at least 20% more income with this skill training, and
-agrees to work for 20 hours per week while in training.

The length of time in training will depend upon the individual's work plan. This activity will be limited to the state's budgeted resources.

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FAMILIES FIRST

- Work Plan -

### A WORK PLAN IS:

- **GOAL SPECIFIC.** The goal of all *Families First* families is to find employment with income sufficient to move to self-support in the shortest time possible.

- **A FULL-TIME COMMITMENT.** All non-exempt adults are expected to work full-time or engage in 40 hours per week of work and work-related activities.

- **ACTIVITY DEFINED.** All activities are planned to help meet the goal.

- **INDIVIDUALIZED.** The activities planned for each individual are determined by the case manager and the participant after assessing the work history, education, and any reasons that the individual has not been employed or is not earning sufficient income to move to self-support.

- **REASSESSED.** Developing a work plan is not an exact science. During each activity, the case manager will monitor progress and at the end of the activity, if the participant has not been able to meet the goal of self-support, the case manager and the participant will negotiate the next logical step in the work plan.

- **ENFORCED THROUGH SANCTIONS.** If the individual does not comply with the work plan, the family will become ineligible for *Families First*.

WORK PLAN ACTIVITIES INCLUDE:

- **WORK.** Individuals who are employed full-time and do not have income sufficient to move them to self-support will be expected to seek higher wages. If unsuccessful on their own the individual may participate in training that will improve their income. If not employed full-time, the individual will be required to complete work-related activities to comply with the 40 hour per week work commitment. Work and work-related activities, as defined below, will continue during the 18 months of eligibility or until the income is sufficient to move the family to self-support.

- **ADULT EDUCATION.** Individuals who are not working full-time and who do not have a high school diploma or a GED or who test under the sixth grade level will be assigned to Adult Education. Individuals testing under a sixth grade level will

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be exempt from a work requirement until they test at a sixth grade level Teen parents will be required to stay in school and complete their education or pursue a GED All other individuals assigned to Adult Education must be working for 20 hours per week or completing Job Search to find employment The average time to complete a GED is 6 months

- **FRESH START.** Individuals who are not working and have not previously participated in life skills classes or who have very little work experience will be placed in a ***Fresh Start*** class before they are required to look for work ***Fresh Start*** is a class room experience in subjects such as money management, parenting, health, nutrition, and intensive job readiness training Most participants leave these classes motivated and goal oriented ready to go to work The class is one month long

- **JOB SEARCH/JOB CLUB.** Individuals who have a high school diploma or GED and recent work history will be assigned to individualized job search immediately after ***Fresh Start*** Those who have had life skills will enter individualized job search as a first activity This is an activity where the individual agrees to select a set number of potential employers and applies for employment These employers will be those who are known to the case manager as needing employees or those the participant has identified on their own as being in a hiring mode A high percentage of participants will find work using this method Job Clubs are similar to individualized Job Search, except that the individuals are closely supervised and able to share their experiences as a group This activity can last up to 8 weeks and can be repeated

- **JOB DEVELOPMENT.** If the participant fails to find a job using the individualized job search technique, then by using Employment Security staff and information available through the DES ALEX system, the case manager will develop job leads for participants and attempt to place them with these employers. Job Development is used to match individuals and employers using skill needs and participant abilities to create a match ***Families First*** will also experiment with other creative Job Development techniques, such as subsidizing employers. Job Development, combined with Job Search, can last up to 8 weeks and can be repeated

- **COMMUNITY WORK EXPERIENCE.** If unable to find work through Job Search or Job Clubs, the individual will be given experience via an unpaid work experience placement, sometimes called Community Work Experience. This practice places a participant with a public or community non-profit agency under the supervision of a seasoned employee and is just like a regular job, except the participant does not get paid This is a good way for participants to get a fair assessment as to their willingness to follow directions, to come to work on time, etc At the end of the work experience, the agency may provide a recommendation and the participant has something to add to their resume This

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activity is an incentive to get a job and earn money for the same amount of effort This experience can last up to 6 months

- **JOB TRAINING.** Individuals who are working at least 20 hours per week and can potentially earn 20% more will be allowed to attend Job Training Job Training will be based on the needs of employers in each community Training time within the 18 months of eligibility will depend upon the specific training experience

SANCTIONS:

- **TOTAL INELIGIBILITY.** Failure to comply with the work plan will result in total ineligibility for the family Compliance will be required to remove sanctions

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Senator THOMPSON. Thank you very much, Representative Harwell. I should point out that you are a member of the State and Local Government Committee.

Senator Henry.

STATEMENT OF DOUGLAS HENRY

Mr. HENRY. Well, thank you, Mr. Chairman. It is a pleasure to come. Thanks for inviting me. I do not know whether your colleague there is from Utah or not. I am sorry Senator Hatch is not here. A great champion State. He and I worked together for a number of years. I am sorry that any of the Utah senators are not here.

Senator THOMPSON. We will send him your regards.

Mr. HENRY. Mr. Chairman, I do not know exactly what we are doing here this morning. I think it deals with the Federal Government and juvenile violence, if I understand it right.

Senator THOMPSON. That is about it.

Mr. HENRY. As far as you know and I know, it is a problem not relegated to the United States nor prohibited to the States or preserved to the States to remedy it.

Senator THOMPSON. I thought I had some general idea about how you felt about that.

Mr. HENRY. What I am going to tell you I believe and I follow with you and I believe that, too, other things that life like itself that I think it's true but I won't touch on it.

Now, juvenile violence. I am on the Chair of the Youth Committee not the Judicial Committee so——

Senator THOMPSON. Special Select Committee on Children and Youth, is that the full name of it?

Mr. HENRY. Yes, sir; that is right. Yes; I believe that is correct. Now, the speaker of that committee, not the Judicial Committee, and that is where you get your crime and punishment. I thought I would touch on that part so I was going to talk about putting the fires out—excuse me—preventing the fires instead of putting them out. That's where I am now.

Senator THOMPSON. That is what we like to hear.

Mr. HENRY. Prevention, if you gentlemen have the money to spend after you balanced the budget, greatly reduced the amount on the national debt, we can put it to good use and have put it to good use. I hope you will continue your attention to balancing the debt.

When you send us some money, unless you release it here, and I hope that you will send it to Tennessee and the other 49 States and not condition the use of special instructions to provide programs. Several years ago your predecessors offered Tennessee $100,000 a year plus condition—around restraining children for their own protection roaming the street. And we made good use of the money to improve the vagrant children situation but we still have to try to persuade them to leave the streets instead of requiring them to do so. That is what I was talking about.

Incidently, they have decided here in Nashville the exact use of that money. They have the most effective programs for keeping children off the streets and I hope you will continue that with juvenile justice money.

Now, violence is not genetic. It is relegated by inadequacy at home. It would be both the family or the family without parents. Whether the youth comes from family, violence at home is carried to the kids from the air waves. We had a role in Congress, for the Federal Communication Commission needs to take a look at that to see if it is within the constitution propriety and to see how these children are influenced day in and day out by television and on the radios through these songs and music.

In my filed statement, which was kind of hurried, I did not know until the day before yesterday that I was to do this. I appreciate the invitation but we have got a session going on it. It is not the quality work I would like to give you.

But I tried to set out the excellent steps Tennessee has taken to maintain functional homes. I hope the staff will suggest that and try what we have done. There are three of them primarily that I have been involved in and have the pleasure of them pursuant—children at risk in their homes and the teens in those homes and try to get those homes squared away so the children will not be banged around and mistreated in the homes they are with.

The second one is the Tennessee Home Ties. And when you spot a child there that the State is about to take into custody, you send them to Home Ties. We have proven again and again that if we can get that home straightened out correctly so that child can stay at home instead of having to go to institutions.

And third, the Family Resource Centers, which organizations in or near school houses for 3- and 4-year-olds. The house a child—a school child can go, but they are mainly for these younger children. So, if you have got a dysfunctional home, you can, again, send the teen there or at least—these people build resources when they get that home straightened out. We have to have—what is absolutely right is the home counseling, putting out the fire and the fire prevention, and all these things straighten out.

And when we fail in the home, then the law has to seize the child and redirect it and the older the offender, how severity the crime, the stiffer the punishment has to be.

Juvenile court should be broken into age groups, not one law from birth to 18 years. But these are considerations for Tennessee, not for the U.S. Constitution.

And if there are any questions, I will try to answer them.

[The prepared statement of Mr. Henry follows:]

PREPARED STATEMENT OF DOUGLAS HENRY

Mr. Chairman and Members of the Subcommittee, I am pleased to have been asked to testify before your honorable Subcommittee on Youth Violence about juvenile justice in Tennessee. Over the past fifteen years, we have made remarkable progress in improving the conditions of juvenile training schools, targeting services to meet the needs of delinquent youth, and investing in family preservation and support services to make parents effective in dealing with their own children. Our goal is to build effective families whose children hopefully will be less likely to prey upon others.

On a rainy Veteran's Day in November of 1985, I toured Spencer Youth Center here in Nashville. The conditions were very poor; a decaying physical plant with young men crowded into dormitories affording few activities to strengthen their minds or characters.

The sense of institutional neglect and impending malfunction in the State's juvenile justice system caused the Tennessee General Assembly to place a priority on juvenile justice, as well as criminal justice, during the 1985 Extraordinary Session convened by Governor Lamar Alexander to address conditions of the State's penal system.

The General Assembly soon realized that any discussion of juvenile justice was linked to discussions of child welfare. Many children in juvenile training schools suffered abuse, neglect or mental illness. Many come from homes without parents or with parents who did not want to be parents, or did not know how to parent their children. They tend to fail in school and in life.

The evolution of Tennessee's juvenile justice system over the past ten years impinges upon the way we are approaching the problem of youth violence today. A course which we have pursued is to strengthen families, so that children have a hopeful future.

Over the past ten years, new regional training schools in Dandridge and Nashville replaced the antiquated Spencer Youth Center facility. The legislature created a cabinet-level Department of Youth Development to focus solely on the problems of delinquent youth. Today this Department uses many private agencies in addition to training schools to provide specialized services to youth who need these services and are not a danger to community safety. Many of these nonsecure residential treatment services for delinquent youth are financed with a combination of Title IV–E Foster Care, Medicaid, and state dollars.

In 1994, the General Assembly adopted a package of juvenile crime legislation that will make it easier to try in criminal courts as adults those youths who commit the most heinous crimes. Other bills make possession of a handgun by children illegal, and make it easier for school principals to conduct searches.

We also focused on early childhood intervention as one important key to strengthen families. The passage of Tennessee's Early Childhood Development Act of 1994 strengthened families by creating Healthy Start pilot programs, expanding Tennessee Home Ties, and doubling Family Resource Centers in our schools. We called for the State Board of Education to report to the Legislature the best way to ensure that at risk three- and four-year-old children are ready for school, and that schools are ready for them.

Healthy Start targets our youngest citizens who are at risk of malfunctioning families. Such families are identified either before or at the time of birth of their first child and may receive intensive support services up to the time when that child is five years old. A child development program originally designed in Hawaii, Healthy Start strengthens families by helping them develop coping and parenting skills. The cost of Healthy Start services is $2,600 per family. The average annual placement cost for children in state custody is about $11,300.

Healthy Start provided home visiting services to about 380 Tennessee families with new babies at risk of removal from December 1, 1994 to June 30, 1995. As of December 15, 1995 all the Healthy Start children included in this reporting period remain unified with their families. The Department of Human Services reports that there are no indicated cases of sexual or physical abuse for Healthy Start families during this reporting period. There is only one case of physical neglect, and that child has not been neglected since April, of last year. This year Healthy Start programs will operate in 26 of our 95 counties.

The 1995 Tennessee General Assembly appropriated $1,000,000 to expand Healthy Start in Fiscal Year 1995–96. With federal funds, $3,000,000 are allocated to fund Healthy Start programs in this fiscal year.

Tennessee Home Ties, the first statewide family preservation program in the nation, is to prevent the placement of children out of the home. It provides short term (four-week) intensive family preservation services to 3,200 families with a child at risk of entering state custody, at a cost of $8.5 million annually. The cost of Tennessee Home Ties, about $2,600 per family, is about one-fourth the cost of a residential placement.

The Department of Human Services coordinates consultation, training and evaluation of Tennessee Home Ties. Children at risk of entering state care through any custodial departments, namely Human Services, Youth Development, and Mental Health and Mental Retardation, are eligible for Tennessee Home Ties services. An independent evaluation of Tennessee Home Ties found that one year after the intervention, 69% of the families at risk were still together.

Family Resources Centers help families bridge the gap between schools and community services for their children. At the urging of the Tennessee Business Roundtable and the State Board of Education, the Select Committee on Children and Youth recommended, and the 1995 General Assembly enacted legislation expanding the number of Family Resources Centers from 62 to 93. Family Resources Centers are funded with state dollars and federal Family Preservation and Family Support Act dollars. As authorized in the Education Improvement Act of 1991, some schools are also beginning to use Basic Education Program funds to create Family Re-

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sources Centers. This year the 99th General Assembly is continuing along the track of strengthening families.

Next week the legislative Select Committee on Children and Youth will consider legislation mandating restitution for all juvenile offenders. The goal of this initiative is to insure that young people understand that they are accountable for their actions: crime does not pay.

Legislation sponsored this year will build upon the successes of Head Start by creating full-day, full-year comprehensive preschool programs for at-risk three- and four-year old children.

I now turn to serious violent, and chronic juvenile offenders.

In 1994, two thirteen-year old girls in rural West Tennessee attempted to murder their teacher with a poisoned apple.

In Nashville, a young high school honor student went to an automatic teller machine in a "good part of town" early one evening and was shot dead by another high school student for twenty dollars.

In 1995, a student in Giles County took a rifle to school and shot to death two teachers and a student.

Only a few short weeks ago, a youngster, 12 years old, went to a neighborhood market to buy an ice cream cone and was killed by other youths in a drive-by shooting.

Recently, the Memphis Commercial Appeal ran a major article on the increase in youth gangs and gang-related violence in Memphis.

The City of Chattanooga has long wrestled with street gangs and their violence.

All these calamities demand attention. What is happening to Tennessee's young people today?

The latest information available from the Federal government shows that 28 percent of all personal crimes (rape, personal robbery, assault, theft from a person) and 19% of violent crimes were committed by youths under the age of 18. It should be noted, however, that acts not traditionally rape are so defined by recent statutes. Half of the juvenile offenders were whites; half were minorities. More than one-half of all serious violent crimes involving juvenile offenders involved a group of offenders. Even more alarming is a study that revealed that 10% of boys in high-risk neighborhoods had committed at least one street crime by the age of seven (7).

The Office of Juvenile Justice and Delinquency Prevention tells us several interesting facts about juvenile delinquents:

Most violent juvenile offenders are persistent. That is, they typically have careers that progress over time from non-violent offenses to crimes of violence.

The seriousness of their crimes increases as they become older and their career lengthens.

A small number of youth appear to be responsible for the majority of juvenile crime. More than half the offenses reported nationally and 83% of the serious crimes were committed by 5% of the youth.

The earlier a juvenile commits a serious crime, the more likely he or she is to continue criminal behavior as an adult.

A study of juveniles in juvenile training schools found that 55% of the youths carried guns all or most of the time and 63% had used a gun in at least one crime. 84% said that they had been threatened with a gun or shot at during their lives. Half reported having been stabbed with a knife.

61% of the youths in the study said it was "okay to shoot someone who hurts or insults you."

Between 1984 and 1993, arrest of juveniles for violent offenses rose by nearly 68%;

Between 1992 and 1993:

Arrest for violent crimes increased 6%;

Homicide arrests increases 14%;

Weapons violations increased 12%;

Changes in adult arrest rates for the same time period were negligible except for weapons violations which rose 7%;

Homicide arrest for juveniles under the age of 15 increased 24% and weapons violations increased 12%.

For most juveniles, delinquent behavior typically occurs prior to their involvement in substance abuse. Drug use appears to prolong involvement in delinquent behavior.

Unfortunately, our children are increasingly the victims of crime. Between 1987 and 1991, violent victimizations of young people between the ages of 12 and 17 rose from 61 per 1,000 to 71 per 1,000, an increase of 17%. 56% of all juvenile victimizations occurred at school on school grounds. Sadly, a child was as likely to be the subject of a violent crime at home as at school. Homicide ranked second only to motor vehicle accidents as the cause of death for juveniles for 1992.

In 1992, an average of 7 young people under the age of 18 were murdered per day in the United States.

In many ways, Tennessee reflects the Nation. From commitment statistics to the Department of Youth Development, we have seen a significant increase in the number of juveniles entering the system for violent offenses. Between Fiscal Year 1989–90 and 1994–95: Commitments for assault increased 39.3%; commitments for robbery increased 138.7%; commitments for sex related offenses increased 29.7%; and commitments for drug related crimes increased 81.6%.

A small glimmer of hope was that the number of juveniles committed for homicide-related offenses dropped in Fiscal year 1994–95.

A disturbing trend in Tennessee is the consistent increase in the numbers of 14- and 15-year-olds being committed to the Department of Youth Development.

In Fiscal year 1989–90, 14- and 15-year-olds made up 28% of all DYD commitments. In Fiscal year 1994–95, they accounted for 33% of commitments.

In Fiscal year 1994–95, they averaged over three delinquent offenses each at the time of commitment, and 32% had 5 or more prior delinquent convictions.

Researchers assert that there are several factors that increase that likelihood that a juvenile will adopt a violent criminal lifestyle, including: Higher rates of dropping out of school; gun ownership for protection; gun use; gang membership; adolescent sexual activity; adolescent parenthood; and early independence from the family.

They also assert community risk factors, including:

The availability of drugs. The more accessible drugs are, the higher levels of use there will be.

The availability of firearms. Easy access to firearms increases the chances that an angry exchange of words will escalate into gunfire.

Community norms towards drugs and firearms. Where the community has lax views towards illicit behaviors, the risk that juveniles will become involved increases.

Media portrayals of violence. The evidence increasingly shows that media violence can influence a community's acceptance of violence and aggressive behavior.

Transitions and mobility. The simple progression through school from elementary school through middle school to high school increases the opportunities for delinquent behavior. Societal mobility reduces connections with communities.

Low neighborhood attachment and community disorganization. Where the rates of drug abuse and criminal activity are high, community attachment is typically low. Residents lose the feeling that they can make a difference in their lives. If a neighborhood's key players—shops owners, teachers, police, doctors, etc.—live outside of the neighborhood, the residents will feel less committed. The lack of neighborhood attachment makes it more difficult for churches, schools and families to pass along pro-social values and norms.

Children who live in poor deteriorating neighborhoods are at increased risk of delinquency, teen pregnancy, and school drop-out.

Juveniles who do not feel that they are a part of society and therefore are not bound by its rules, who do not believe in being responsible or who have taken an openly rebellious stance are at increase risk for drug abuse, delinquency and dropping out of school.

Youth who associate with peers who are involved in anti-social behavior are at increased risk.

A young person who starts abusing drugs prior to the age of 15 is twice as likely to have drug problems as an individual who waits until after the age of 19.

Not all children who are products of high-risk situations become violent or chronic offenders. Some survive to become contributing members of society. What are the mitigating factors? Research indicates three: Factors that are inherent in the individual; factors related to social bonding; and healthy beliefs and clear standards for behavior.

As with the risk factors, when these protective factors act together, they can have an impact that is far greater than if they work in isolation. Individual protective factors include being female, high intelligence, a positive social attitude, and a resilient temperament that helps a child bounce back from bad situations. The strongest factor in protecting young people is strengthening their bonds with positive and prosocial family members and individuals outside of the family. These children become invested in and committed to achieving the goals held by these groups. They become bonded to these groups and are less likely to do things that will threaten these relationships.

Such researches are indeed valuable. I assert, however, that family breakdown is the root.

The family is where the child is trained. If the parents seek mainly their own gratification, regarding marriage as a relation which can be ended at will by a divorce, the child or children will be far less likely to learn the values of commitment and restraint.

The State should support, by its legal framework, the performance of the marriage obligation, not the disregard of it. The law of divorce should not be relaxed to accommodate the discomfort of the parents, but should when children are involved be such that the parents will be encouraged to work it out rather than go through the rigors of a contested divorce.

All the foregoing is not to play down the need of punishment of the juvenile law violator,which is a necessary part of shaping him or her. Where the family will not discourage misbehavior early, the State must step in and do it later by laws of crime and punishment. I would recommend the framing of different codes for juveniles of different ages, instead of a single body of juvenile laws for all ages from birth through the eighteenth birthday.

In summary, the State should play the part of strengthening the family as I described earlier, but must also stand ready as the child grows older to take stern measures when it transgresses. The older the child and the graver the offense, the sterner the measure.

Senator THOMPSON. Thank you very much. We will come back. Representative Walley.

STATEMENT OF PAGE WALLEY

Mr. WALLEY. Thank you, Chairman Thompson and staff members, for the opportunity to speak with you today about an issue of critical importance to Tennessee, and that is juvenile justice and how we can, with the cooperation of our Federal Government, find that solution for our Tennessee families and our future.

Senator THOMPSON. I believe you are on the Select Committee, also, are you not?

Mr. WALLEY. Yes, sir. On the Select Committee on Juveniles and Youth with Senator Henry.

I would like to present for your consideration what we in Tennessee are doing both to identify early those juveniles at risk who are coming into our State's custody due to their delinquent behavior or other behaviors and trying to provide early intervention strategies to stabilize their lives and the lives of their families of which you heard Senator Henry refer.

This is of particular importance, Senator, because Tennessee currently is using approximately $13 million from the Federal Government for such programs and because we have been informed in the transmittal, which I have referenced the number ACF–AT–95–9 from Lavinia Limon of the U.S. Department of Health and Human Services, the Director of the Office of Family Assistance, dated September 12, 1995, that we are in jeopardy of losing those title IV–A funds. Those funds that Mr. Hattaway referred to earlier and this is certainly one of the persons in Washington who apparently has made the decision that we do not apply these grants as the Government believes they should be applied.

But allow me, if you would, to highlight some of the remarkable achievements of our effort, particularly in west Tennessee where I reside and where I have spent much of my working life as a clinical psychologist, very familiar with these programs and even involved as a consultant to one of the adolescent diagnostic centers.

The first one I would like to highlight briefly for you is the Crockett Children's Services in Crockett Academy, another program you have heard referred to this morning from Senator—excuse me, from Commissioner Hattaway's remarks, based in Alamo, TN.

Judge Randy Camp, who is in our audience today, and Ms. Reesha Black have developed two very innovative programs which work collaboratively with our school system, the juvenile court, the State and local agencies to meet the needs of children that have behavioral problems and the best way to reform them, that removal from the regular classroom setting is absolutely imperative.

I have appended, appendage A, which details these efforts, but very briefly, Judge Camp set up these programs with two overriding philosophical principles in mind, that no child is inherently bad and that parents should be responsible for raising children, not the taxpayers.

The primary goal is to decrease the number of Crockett County children at risk from entering State custody. Through the collaboration, that I have already mentioned, working with the school systems there, they have accomplished great things with this program.

It also works with the Crockett County Children's Services and with the school system. These programs have saved millions of dollars by reverting referrals from State custody. More importantly, they have provided these children and their families with resources, the encouragement, the hope to stabilize themselves in the community. Should they lose their combined $225,000 per year, they will be terminated, with the result being a severe escalation in the cost to government and a destabilization of those families in Crockett County and in west Tennessee. As you can tell, that $225,000 is a relatively modest investment for the accomplishments that Crockett Academy and Crockett Children's Services is making.

A somewhat similar program is Carroll Academy, a community based, court operated alternative to State custody overseen by Judge Larry Logan and Ms. Mary Mays and it serves Carroll, Weakley, Benton, and Henry Counties in west Tennessee. It receives 45 percent of its funding from the Children's Plan that you have heard referred to from the Governor and from Commissioner Hattaway. Five percent of this money is allocated from Carroll County's certified public expenditures and the remaining 50 percent of the money is funded through those title IV–A emergency assistance dollars which have been spoken about today.

It serves dependent, neglected victims. And these young people are products of parents who lack parenting skills and who have abused alcohol and drugs. Ninety-six percent of our children are receiving free or reduced lunches in this program. And they come from dysfunctional homes, low socioeconomic backgrounds and often illiterate parents who do not necessarily value education. But 100 percent of the students served at Carroll Academy are at risk for coming into State custody and we have been able to divert many of those. Again, there is an appendix which will highlight some of the Carroll Academy program.

Appendix B highlights the marvelous programs in our Department of Youth Development you have heard referred to, the John S. Wilder Youth Development Center in Somerville, where we have undertaken that aggression replacement training wherein it has worked highly successfully and where we are using it as a pilot program to expand to the rest of our facilities throughout the State to accomplish outcomes.

As you can tell, our State and local governments are being wise stewards of Federal sources. We need your help in seeing that we are given the ongoing flexibility to tailor programs to meet the needs of Tennesseans, our families and our children, urban and rural because what works well in Washington does not necessarily work well in Tennessee. What works well in Nashville does not necessarily work well in Boliver. That is why we are very much in support of that block grant concept under consideration by your committee in Congress.

I also would like to mention a particular need we have in west Tennessee and without belaboring the point it relates to appendix C which has been included from Judge Steven Hornsby about detention beds. But we are very grateful for the opportunity to come to you and present what our concerns are to provide this testimony. I have just scratched the surface of what is going on in the marvelous programs here but as a clinical psychologist, as a State legislator, I implore you to help us continue our State and local government efforts to provide for our juvenile justice needs. Providing us an ongoing or expanded Federal flexibility will certainly result in our putting these title IV–A funds, title V funds to continued good use. We will be accountable and you will be proud of our stewardship.

I would be glad to answer any questions you may have.

[The prepared statement of Mr. Walley follows:]

PREPARED STATEMENT OF PAGE WALLEY

INTRODUCTION

Chairman Thompson, Senator Hatch, (other), Staff members, and fellow Tennesseans, thank you for the opportunity to speak with you today on an issue of critical concern to Tennesseans . . . juvenile justice, and how we can—with the cooperation of our Federal Government-find the best solutions for Tennessee's families and future.

I would like to present for your consideration what we in Tennessee are doing both to identify early those juveniles at-risk for coming into State custody due to their delinquent behavior and to provide early intervention to stabilize their lives and their families.

This is of particular importance because Tennessee currently is using $13 million from the Federal government for such programs; and, because we have been informed in a transmittal #ACF–AT–95–9 from Lavinia Limon, U.S. Department of Health and Human Services, Director of the office of Family Assistance, dated September 12, 1995, that we are in jeopardy of losing this title IV–A funding because we don't apply it as the Federal government believes it should be applied.

Allow me to highlight for you some of the remarkable achievements of our effort, particularly in rural West Tennessee, where I reside and where I have spent much of my work life as a clinical psychologist very familiar and involved with these efforts, including my present service as a consultant to an adolescent diagnostic center.

CROCKETT CHILDREN'S SERVICES/CROCKETT ACADEMY

In Crockett County, Judge Randy Camp and Ms. Reesha Black have developed two innovative programs, which work collaboratively with the school system, the Juvenile Court, and State and local agencies to meet the needs of children whose behavioral problems have escalated to the point that removal from the regular classroom setting is imperative.

Appendix A details these efforts. Briefly, Crockett Children's Services primary goal is to decrease the number of Crockett County children at-risk of entering state custody. Through collaboration with Crockett County Juvenile Court, Crockett Academy and the school systems in Crockett County, comprehensive prevention strategies which reduce the incidence of juvenile crime and delinquency are being developed. Crockett Children's Services strives to increase the efficiency of existing services to children and families, utilizes a variety of local rehabilitative strategies for youth offenders and requires active involvement of parents/guardians in all its prevention and intervention measures.

Crockett Academy addresses the needs of Middle and High school children who have committed detainable offenses, who are at-risk of entering some type of State custody and whom the Court has determined would benefit from placement in a program that is a combination of regimented discipline with an educational approach. The program is a cooperative effort between the Court, Crockett Children's Services, and the School System. The School provides the educational component of the program and the court provides both (a) the regimented drill and exercise and (b) probation supervision portions. Crockett Children's Services assists in coordinating the efforts of the school and the Court. The program serves students from two designated schools who have committed detainable offenses, who are at-risk of entering state custody, either immediately for the commission of delinquent offenses or in the near future because of unruly or status offenses, and whom the Court feels could benefit from participation in a program that combines regimented drills and exercise, traditional classroom education, and individualized probation treatment.

These programs have saved taxpayers millions of dollars by diverting referrals to State custody. More importantly, they have provided these children and their families with the resources, the encouragement, and the hope to stabilize themselves in their community. Should they lose their combined $225,000 per year support, they will be terminated with the result being a severe escalation in cost to government and a destabilization of families.

CARROLL ACADEMY

A somewhat similar program is Carroll Academy, a community based, court operated alternative to State custody, overseen by Judge Larry Logan and Ms. Mary Mays and serving Carroll, Weakley, Benton and Henry Counties in West Tennessee.

Carroll Academy receives forty-five percent of its funding from the Tennessee's Children's Plan. Five percent of its money is allocated from Carroll County's Certified Public Expenditures (CPE funds) through the local juvenile court's budget. The remaining 50% of the program money is funded through Title IV–A Emergency Assistance dollars.

Carroll Academy is extremely cost effective. They are paid approximately one thousand four hundred thirty-four dollars per month to educate, transport, and counsel each child. These children go home every night. Other state agencies charge the government hundreds of dollars per day. Carroll Academy bills for sixty-four children per month; yet, it served eighty three children during the month of December 1995. It consistently serves a greater number of children than for which it bills the state.

All of the children who attend Carroll Academy are dependent/neglect victims. They are products of parents who lack parenting skills and who have abused alcohol and/or drugs. Ninety-six percent of our children are receiving free or reduced lunches. These children come from dysfunctional homes, low socio-economic backgrounds, and often illiterate parents who do not necessarily value education. One hundred percent of the students served at Carroll Academy are at-risk of coming into the State's custody.

At any given time, one third of the students at Carroll Academy are special education students. Carroll Academy does not receive any special education funding which saves federal monies. It provides these services at no additional cost to the state.

JOHN S. WILDER YOUTH DEVELOPMENT CENTER

Appendix B highlights the marvelous program within our Department of Youth Development known as the John S. Wilder Youth Development Center in Somerville, Tennessee. Superintendent Seth Garrington has witnessed a significant change in the type of student referred for treatment from those children who were victims of abuse and neglect to today's antisocial, violent juvenile criminal who victimizes others. Still, he and the staff have a remarkable record of successful rehabilitation and placement back into the community.

As you can tell, State and local governments are being wise stewards of Federal resources. We need your help to see that we are giving the ongoing flexibility to tailor programs to meet the needs of Tennessee families—both urban and rural—rather than having a Washington designer prescribe a one-size-fits-all model from afar.

We want to be accountable for outcomes but be able to design methods to achieve these outcomes in a manner sensitive to the needs of our citizens. That is why we very much support the block-grant concept under consideration by your Committee and Congress.

I now would like to mention a particular need we have in my rural area of West Tennessee and how a block-grant partnership with you would be most beneficial in the effort to remedy it. Judges Steven Hornsby in Hardeman County, Weber McCraw in Fayette County, and Howard Bailey in Chester County—like our other rural West Tennessee judges—have spoken to me about this dire situation which they face daily in caring for juvenile offenders. In Appendix C I have attached Judge Hornsby's written remarks on the subject submitted this week to me.

I call your attention in particular to item #1 on page 1 which states that . . . "the lack of housing and detention of juveniles charged with serious and violent crimes, both prior to and after trial, is of great concern. There are only two detention facilities available to us in West Tennessee, (i.e., Shelby County Juvenile Detention Center in Memphis and Madison County Juvenile Detention Center in Jackson). On occasions, both facilities are filled to capacity. Oftentimes, when a juvenile is committed to a Department, the Court is advised that there is no immediate placement available for the juvenile. This is a major problem that needs immediate attention. Space must be made available to detain or place a juvenile who poses a threat of possible harm to person and property and should not be returned to the community."

We are seeking to remedy this. However, without an ongoing partnership with the Federal government, and a serious consideration of block-granting, resources likely will be unavailable to respond to this demand.

You have, no doubt, heard testimony about Tennessee's efforts to consolidate services for children. I believe that, with the work of our Legislature and the Governor, we have developed the mechanisms to consolidate the efforts of multiple Departments and agencies under the administrative and fiscal oversight of a single authority. This will allow us to be accountable and responsive to our children and families.

I will not, in the interest of time, elaborate on the specifics of this effort. However, Governor Sundquist, his cabinet, and we in the Legislature believe that we will now have the organization and the method of measuring outcomes which will make Tennessee the national leader in responsiveness to children and to the abatement of conditions like abuse, neglect, health needs, etc. which often are associated with juvenile criminal behavior.

CONCLUSION

Chairman Thompson, Senator Hatch, (other), I want to thank you, again, for the opportunity to provide this testimony. I have scratched the surface with this Reader's Digest version of our programming in West Tennessee.

As a clinical psychologist and a State Legislature, I implore you to help us continue our State and local government efforts to provide for our juvenile justice needs. Providing us ongoing or expanded Federal flexibility—such as with the Title IV–A funds and block grants—will result in renewal for families and for financial prudence. We will be accountable . . . and you will be proud of our stewardship.

I will be delighted to answer any questions you may have of me.

APPENDIX A—CROCKETT CHILDREN'S SERVICES, CROCKETT ACADEMY

Crockett County, with a population of approximately 13,000 is located in rural West Tennessee. The Court deals with all citizens in Crockett County under the age of 18 years. The local economy is based heavily on farming and three (3) industries. Crockett County, with a per capita income of $10,604.00 is typical of the small rural areas around the state having a low tax base. Crockett Children's Services deals with all children in Crockett County whom the Court and/or schools refer to this agency, because they are at risk of entering state custody. Crockett Academy deals with all Middle and High School children in Crockett County whom the Court feels could benefit from participation in the program.

The number of children referred to Tennessee juvenile courts has increased steadily from year to year. Crockett County has experienced this same increase. There were 196 petitions filed from July 1, 1993 through June 30, 1994 and 344 petitions filed from July 1, 1994 through June 1, 1995. This was a 75% increase in caseload from 1993–94 to 1994–95 in the Crockett County Juvenile Court. Accompanying this trend is the reality that more children are being placed in state custody. Lack of communication and coordination between schools, court, and the community agencies which did exist resulted in children not receiving available services.

Uncontrolled, violent acts of student behavior were virtually unheard of the school systems of Crockett County as early as five (5) years ago; however, in the early 1990's, the schools began to see an alarming increase in the number of children exhibiting behavioral problems so severe that removal from the regular classroom setting was imperative. Many of these children were finding their way into the court system, because school personnel and families did not have the skills to manage these behaviors and because a communication network to access outside services did not exist. Faculty members daily observed children with poor impulse control, mood swings, denial, extreme self-consciousness, anxiety, depression, confusion, lack of motivation, inability to self-monitor, and difficulty in relating to others.

It was impossible for the court, by itself, to generate the changes that were needed for these troubled children and their families. It is a task that needs to be the responsibility of the community as a whole. Lack of understanding and tolerance on the part of the community and the schools, including faculty members, boards of education and other students were major barriers for personnel who work with and for these children.

Comprehensive attention to the family unit is essential to the rehabilitation process, but was an area which was fragmented and underserved. Parenting classes and an underlying support system for parents of these children was non-existent. Recognizing the seriousness of the needs of the children and the impact that they have on the community as a whole, caused the court officials, school administrators and school boards to examine and implement strategies for rehabilitating these children and their families.

CROCKETT CHILDREN'S SERVICES

Crockett Children's Services primary goal is to decrease the number of Crockett County children at-risk of entering state custody. Through collaboration with Crockett County Juvenile Court, Crockett Academy and the school systems in Crockett County, comprehensive prevention strategies which reduce the incidence of juvenile crime and delinquency are being developed. Crockett Children's Services strives to increase the efficiency of existing services to children and families, utilizes a variety of local rehabilitative strategies for youth offenders and requires active involvement of parents/guardians in all its prevention and intervention measures.

The program serves all of the approximately 1200 students of the Crockett County School systems who either the Court or school personnel consider "at-risk" of court involvement or entering state custody.

The Crockett Children's Services program achieves its purpose by the following:

1. Aids the Crockett County Court and Crockett County School Systems in assessing the needs of "at-risk" students in Crockett County.
2. Providing direct services to "at-risk" students and families in Crockett County.
3. Coordinating services of transporters, tutors, mentors, etc. for "at-risk" children.
4. Providing Licensed Clinical Social Workers to counsel "at-risk" children with no insurance or who have TennCare and would otherwise not have these services available to them.
5. Continuing to coordinate services to children participating in the Crockett Academy program.
6. Continuing collaboration with Crockett County Family Resource Center to achieve a systematic approach to coordination of all relevant child/family agencies.
7. Continuing support to the Crockett County High School GED program decreasing the "drop-out" rate in Crockett County.
8. Continuing as a support system to case managers dealing with youth in crises.
9. Continuing the community service program which requires youths found delinquent to make restitution for their offenses.
10. Continuing support to the Crockett County and Alamo City Alternative Schools.
11. Continuing assistance in the day treatment center for kindergarten through fifth grade children who are unable to function in a regular classroom setting.
12. Developing respite care, crisis intervention, and other client services needed to keep children in community-based programs by increasing the number of county volunteers in the above programs.
13. Continuing inservice training to all Crockett County school personnel regarding services available to "at-risk" children thus striving to increase the number of children with behavior problems being able to remain in the regular classroom setting.
14. Continuing using community volunteers and to establish a mentoring program for youth "at-risk".

15. Continuing assistance with Crockett County Vocational Schools' career counseling and School to Work transition for youth.

16. Continuing counseling to teenagers concerning drug usage, teenage pregnancy and STD's.

17. Continuing current efforts with Crockett County School Systems to reduce the number of truancy petitions filed in Juvenile Court.

Crockett Children's Services, established in January, 1994, serves the entire community of Crockett County. The main goal of Crockett Children's Services is to serve as a liaison between the juvenile court system and the schools, in an effort to access the most appropriate services possible to prevent children from entering state custody. The collaboration between this agency and the school systems has enabled the court and the schools to maximize services that are available to children and families in need. This organization employs a director who works with the court, the schools, other community-based agencies, and families. Also employed is a registered nurse who works directly with the court, students, families, and school personnel in providing comprehensive health-related assistance. This program is needed in order to ensure that Crockett County children and families have the greatest possible opportunity for valid services.

Crockett County Court staff, including the Juvenile Judge, Youth Service Officer and Crockett Children's Services director, believe that, with ongoing intervention, these children can be rehabilitated. The process is a long and arduous one and must involve a multiplicity of strategies and resources. It is impossible for the Court or schools, by themselves, to generate the changes that are needed for these troubled children and their families.

Before the institution of Crockett Children's Services and Crockett Academy, there were no services offered young offenders except through state custody. With the inception of Crockett Children's Services, 95.6% of young people served have remained in Crockett County and received the necessary services to help re-direct their lives. The $20,000.00 allotted in this grant for contract services provides children with counseling, tutoring, transportation, Drs. visits, and a variety of other needed services to help "at-risk" children and their families.

This program uniquely combines the efforts and resources of both the Juvenile court and the school systems of Crockett County. The Children served in this program remain in their own communities and schools and are provided services which hopefully enable them to function more appropriately. Crockett Children's Services has served 136 different children since it began in January 1994. Of these 136 children, only 6 have entered state custody. With a 95.6% success rate, Crockett Children's Services has accomplished its primary goal. Due to Crockett Children's Services direct involvement with both the court and school systems, there has been a marked improvement in grades and attendance by students in the program. Additionally, no student in the general school population of approximately 1200 students has been expelled during the 1994–95 school year, a fact which school officials attribute to Crockett Children's Services and Crockett Academy's direct involvement in the school system's general plan of operation. Through the efforts of the Crockett County Juvenile Court and the Crockett County School Systems which includes Crockett Children's Services and Crockett Academy many innovative strategies have been tried to reduce the number of children in Crockett County entering State custody.

CROCKETT ACADEMY

The program addresses the needs of Middle and High school children who have committee detainable offenses, who are at-risk of entering some type of State custody and whom the Court has determined would benefit from placement in a program that is a combination of regimented discipline with an educational approach. The program is a cooperative effort between the Court, Crockett Children's Services, and the School System. The School provides the educational component of the program and the court provides both (a) the regimented drill and exercise and (b) probation supervision portions. Crockett Children's Service's assists in coordinating the efforts of the school and the Court.

The program serves students from two designated schools who have committed detainable offenses, who are at-risk of entering state custody, either immediately for the commission of delinquent offenses or in the near future because of unruly of status offenses, and whom the Court feels could benefit from participation in a program that combines regimented drills and exercise, traditional classroom education, and individualized probation treatment.

Upon referral of a child to the Court, by the school or a local law enforcement agency, the Court will review the case. If it is determined (a) that there is sufficient proof that the child committed the offense, (b) that the child would benefit from supervision and services of the program, and (c) that the child and his/her parents request and are willing to participate in a program which combines regimented drill and exercise with an educational approach, the family will enter the program.

Once the child is in the program, he/she will be required to report to school at 5:30 a.m. each day. The parents of these children are required by the court to transport the child to the school.

During weekdays the child participates in the close order drill and exercise portion of the program which occurs on the school campus. Children then shower, have breakfast and report to class.

Since students from only two campuses are eligible for placement in the program at this time, Students return to the same school they attended prior to referral. They are in classes with the regular student body.

At the end of the school day the child reports to the designated location on the school campus. Academy representatives meet with the child and assures that he/she completes homework assignments for the next day. Upon completion of homework assignments, the child reports to the drill instructor and participates in close order drill until 6:30 p.m.

At 6:30 p.m. children are picked up by their parents and taken home. There is a 7:00 p.m. curfew. They report back to the drill instructor at 5:30 a.m. the next day.

On non-school days, children with perform community service work instead of attending drilling and attending classes. Community service will include cleaning up areas of the school campus, picking up trash on city streets, detailing buses, etc. Community service work requiring the operation of machinery will not be performed by children in the program.

Once the child has completed the minimum eighteen week program, the Academy staff meets with the child and her/his parents to determine a supervision plan. School, Crockett Children's Services, and Juvenile Court representatives continue to work with the child to assist in maintaining the self discipline and appropriate behaviors learned during the eighteen week program.

Parents are ordered to participate in the program provided by the Court and Crockett Children's Services, which includes classes on parenting, communication and counseling.

Crockett Academy achieves its' purpose by the following:

1. Aids the Crockett County Juvenile Court and Crockett County School Systems in assessing the needs of "at-risk" students in Crockett County.
2. Providing direct services to "at-risk" students and families in Crockett County.
3. Continuing collaboration with Crockett County Family Resource Center to achieve a systematic approach to coordination of all relevant child/family agencies.
4. Continuing as a support system to case managers dealing with youth in crisis.
5. Continuing the community service program which requires youths found delinquent to make restitution for their offenses.
6. Continuing support to the Crockett County Alternative School.
7. Continuing inservice training to all Crockett County school personnel regarding services available to "at-risk" children.
8. Aiding the administrative staff of Crockett County High School and Middle School in dreducing the number of weapon related offenses and the number of assaults on campus.
9. Improving academic performance on the part of participants as measured by individual grade point averages.

An examination of school data has revealed that during the last few years, the school has had an increased incidence of disciplinary problems consisting of possession of weapons, possession of drugs, theft, destruction of property, possession of alcohol, fighting or assaults, and truancy. While the data revealed other disciplinary problems, this program aids the school in its daily efforts to deal with problem children and their families while relieving the court of the burden of crowding the docket with disciplinary and truancy related matters. The resources of the Court, Crockett Children's Services and the school bring early intervention to the inappropriate behavior of juvenile offenders by: (1) enabling individual offenders to remain in school while reducing their disruptive behavior; (2) using school expulsion as a sanction only after other attempts to deal with the offender have been exhausted; (3) improving the classroom performance of offenders in the program as measured by their grade point average; (4) coordinating the efforts of the school and the department in dealing with the troubled youth which they jointly serve; (5) instilling a sense of pride and self-discipline in program participants.

This program serves students from two designated schools who have committed detainable offenses, who are at-risk of entering state custody, either immediately for

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the commission of delinquent offenses or in the near future because of unruly or status offenses, and whom the Court feels could benefit from participation in a program that combines regimented drills and exercise, traditional classroom education, and individualized probation treatment.

Since the program began operation in October, 1994, thirty one (31) young people have entered the program. As a result, 93.4% of young offenders entering this program have remained in Crockett County and have not entered state custody. Due to Crockett Academy's involvement with Crockett County Middle School and Crockett County High School, there has been a market improvement in grades and attendance by students in the program. Additionally, no student in the general school population of approximately 1200 students has been expelled during the 1994–95 school year, a fact which school officials attribute to Crockett Academy and Crockett Children's Services' direct involvement in the school system's general plan of operation.

One hundred ninety-six (196) petitions were filed with the Crockett County Juvenile Court involving cases of delinquency or unruliness from July 1, 1993 through June 30, 1994. Three hundred forty four (344) petitions were filed with the Crockett County Juvenile Court involving cases of delinquency and unruliness from July 1, 1994 through June 5, 1995. This represents an increase of 75% in caseload. An increase is projected for 1995–96 and, without proper planning, the Academy and Crockett Children's Services will not be able to provide services for all who need them. All juveniles who are at risk of entering state custody were provided the option of entering Crockett Academy. Without this option, all such offenders would have entered state custody. The only offenders who entered state custody after being provided the option of Crockett Academy were those who failed to comply with Academy rules and regulations, who committed new delinquent offenses and who exhausted all attempts by the Court and Academy to allow them to remain in the community.

APPENDIX B—TREATMENT PROGRAMS AVAILABLE AT WILDER YOUTH DEVELOPMENT CENTER

CLASSIFICATION *

Data Gathering.—Collection of needed and required information (Social History, school records, prior testing, mental history and needs, records from prior placements, medical/dental screening, substance abuse screening, dormitory observations, and classroom observations, etc.). Compilation of this information is used in a formal staffing to make treatment, program, and placement recommendations.

Educational Assessment.—Group testing used to determine the current level of functioning of the student in both achievement (grade level) and intellectual areas. Screenings may indicate the need for individualized assessment.

Initial Psychological Assessment.—Initial individual screening to determine mental health needs or serious emotional problems including suicide ideation. This includes a clinical interview and may also include a visual motor skills screening, if no current visual motor skills screening is available.

Psychological Evaluation.—Individualized testing and assessment to identify or evaluate special needs and/or special education needs including comprehensive three-year re-evaluations. May include projective tests to determine need for more specialized mental health programs.

Pre-Vocational Assessment.—Interviews and group testing used to determine student's knowledge of functional life skills including job search skills and job related behavior, vocational interests, involvement in career decision making, employment or work history, and prior vocational training history.

Vocational Assessment.—Compliation of vocational interests and vocational data (medical, intellectual, academic, functional life skills, etc.) as indicated above.

Speech/Language Evaluation.—Individual assessment including oral-peripheral examination used to determine speech or language impairments. Speech problems may include fluency voice or articulation impairments. Language problems may include decoding (receptive), encoding (expression), or processing (auditory/perceptual) impairments.

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* Completed within two (2) weeks of admission.

HEALTH

Admission.—An initial health screening for any complaints or critical needs before the student enters general population. Within seven (7) days a screening of vital signs, height, weight, vision, hearing, collection of healthy history, STDS testing by health service staff. Physical and dental exam by contract physician and dentist.

Routine Care.—Sick call three (3) days per week. In addition, students seen by health care staff when indicated by reports to child care staff. On campus physician one (1) day per week and dentist two (2) days per week. Medications administered as prescribed.

Optometry.—Students vision screened by health care staff. Referred and transported to local optometrist for further evaluations and prescription glasses as indicated.

Emergency.—24 hour emergency medical/dental care by health care staff, contract doctors and/or local hospital.

Specialized treatment.—Referred and transported to community facilities and physicians/dentist when needed and ordered by contract doctors.

Psychiatric.—Referred and transported to local mental health center when recommended by contract physician or psychologist. Prescribed psychotropic medications administered by health care staff, student progress monitored by psychologist.

Health Education.—Orientation and follow-up instruction by health care staff, contractors and other outside resources concerning hygiene, STDS, nutrition, physical fitness and other topics related to preventive health practices. Wellness classes are offered as part of the academic program for high school credit.

COUNSELING

Individual.—Each student is provided a minimum of weekly sessions with his assigned counselor to address needs identified in his Individual Program Plan (IPP). More serious issues are referred to a Licensed professional counselor or psychologist for therapy on an as needed basis.

Alcohol and Drug Group.—Each student with identified substances abuse needs receives a minimum of one (1) weekly individual and two (2) weekly group sessions for twelve (12) weeks, or until his need is met. Group sessions are experimental and incorporate 12 step fundamentals. Pre- and post-tests administered to all participants.

Drug Dealers Group.—Students who are committed for or have a history of drug trafficking have weekly group counseling sessions. These sessions address evaluating and changing lifestyles.

Violent Offender Therapy.—Conducted by contract psychologist. Provides group and individual therapy for students either committed by violent charges or displaying violent behavior in the institution.

Sex Offender Therapy—Group and/or individual sessions with contract psychologist regarding changing of inappropriate sexual behavior. This is provided to students awaiting transfer to a residential Sex Offender Program and/or those who have failed to make progress in contract sex offender programs and have returned.

Skills Building Groups—Each housing unit has group sessions several evenings per week. Group sessions deal with learning skills to develop personal responsibility. Anger Replacement Training is used in units housing more violent aggressive students. The unit having the older more mature students deals with learning independent living skills. Younger and more immature students learn skills to become more self-reliant and less impulsive.

BEHAVIOR MANAGEMENT

Housing Unit Assessment—Students are assigned to units on the basis of identified counseling needs, such as aggression control, hyperactivity and immaturity, victimization, etc. One counselor is assigned to each dormitory and specializes in this type behavior management.

Peer Interaction Unit—This dormitory uses peer confrontation and guided group interaction for behavior management.

Programmatic Segregation—Intensified behavior management for noncompliant, aggressive students. School is provided in the unit and the counselor-student ratio is 1 to 9. Behavior is evaluated at each shift and discussed at weekly team meetings. Students earn day on-campus passes and then 4-day furloughs to the regular program. After a successful furlough they are placed back into the general population.

Special Needs Unit—Designed for students who are immature, impulsive, disruptive, emotionally disturbed, young, etc. Students go to a self-contained classroom and have specially trained staff including teachers, teacher assistants and counselors. Very structured including specific behavior management techniques, group sessions, short-term rewards, etc. Program monitored and training provided by contract psychologist.

Other specialized units include anger management, independent living skills and responsibility development.

Monthly Evaluations—Each student meets monthly with his counselor, Youth Service Corporal and Educational Representative. Parents, probation officers and CHA representatives are also invited to attend. Other staff who may be involved with the student's treatment (recreation, medical, specialized counseling, etc.) may attend or provide information. Progress on each objective in the student's IPP is discussed. The student is awarded credit for each week in that month on the basis of progress on IPP and behavior reports. Earned weeks accumulate toward privileges and release.

EDUCATION

Special Education—A certified teacher, with a teacher assistant, delivers resource instruction to all students in the population determined by an M-Team to have a handicapping condition. Under contract, a speech/language pathologist provides evaluation and therapy to an average of five (5) identified students.

The academic program at WYDC offers both Junior and Senior High classes. An academic and vocational program is designed for each student based on his needs and skills levels. Students at the Senior High level earn academic credits (Carnegie Units) which are transferable to their home town schools for purposes of completing their education and earning diplomas. Classes are offered in all subject areas with the exception of laboratory in the sciences. General science is offered at the Junior High level and Physical Science at the Senior High.

There is a self-contained classroom for those students who are assigned to the Special Needs/Positive Peer Culture program. This class is staffed by a certified professional teacher, a counselor and a teacher assistant.

There are GED programs. One is a GED track program offering regular classes during the school day for those students who are serious candidates to pass the GED. Students participating in this program are pre-tested prior to placement. Students must be 17 years old to participate. Classes are offered in English, writing skills, math and social studies with a certified instructor in each academic subject area. These students also are offered vocational instruction in one of the four vocational training programs. At the last administration of the GED examination, six (6) of the eight (8) students tested, passed and earned their GED. The second GED program is offered for four hours after school hours with a certified instructor. This program also includes Adult Basic Education instruction. Students must be 17 years of age to participate. Student workers participate in this program.

Pre-vocational classes are offered for all Junior High level students. Hands-on vocational training is offered to all Senior High level students in General Building Trades, Small Engine Repair or Commercial Food Service. The Commercial Food Service class includes on-the-job training in the facility cafeteria.

Vocational classes are arranged in two-hour periods. The curriculum for each area is integrated to provide lab-setting, hands-on experience along with the text and theory-lecture application of lessons.

Peer tutoring is used making use of the talents of academically strong students as well as those who have passed the GED. These students assist their fellow students who need additional instruction.

A Time to Read and NIC (Newspaper in the Classroom) programs are used to improve reading skills. TV, VCR and other audio-visual aids are available in all classrooms for use to enhance academic instruction. Computer assisted instruction available in all vocational classes, math, English, wellness and special education classes. Students who have completed high school may be enrolled in correspondence courses to receive college course credit under the tutorial supervision of the principal.

OTHER ACTIVITIES/SERVICES

Religious—A chaplain has an intake interview with each student and provides spiritual guidance/counseling upon request. Non-denominational services are held in the chapel each Sunday morning. Services are conducted by volunteers from various faiths and a majority of students choose to attend. The chaplain coordinates any special pass requests for family emergencies and is available for special needs. Students who are experiencing acute grief and/or remorse are referred to the chaplain for special counseling.

Volunteers—The chaplain also serves as Volunteer Coordinator. Volunteers provide birthday parties, assist with recreation, visit students who have no family visitors, tutor students and assist with counseling. Many faithful volunteers are available with time and resources for student needs as they arise.

Recreational Services—The Recreational Department offers students the opportunity to participate in a variety of recreational/leisure activities that provide social and physical benefits to enhance their individual programs and provide an increase in knowledge and awareness of constructive recreational/leisure alternatives.

Upon arrival and while in classification students are given the AAHPERD Youth Fitness Test as a means of identifying weaknesses and/or strengths and various physical abilities. This enables recreation staff to seek methods/programs/activities that will aid the student in developing these abilities. Students are also observed and assessed in regard to their use of recreation/leisure time, levels of active participation, peer interactions, with authority and behavior in general. Strengths/weaknesses in these areas are also addressed in the students' individual program.

Recreational activities are offered to students on a daily basis. Activities include both indoor and outdoor games, instructional activities, special activities and incentive/reward activities. Daily activities include basketball, intramural, movies, volleyball, weight-lifting, table games, softball, touch-football, volleyball (outdoor), frisbees, etc. Instructional activities and special reward/incentive activities include fitness programs, tennis, fishing, field trips, Arts/Crafts, cookouts and on-campus guest presentations. Recreation also provides special activities on major holidays throughout the year.

APPENDIX C—JUVENILE COURT OF HARDEMAN COUNTY

February 12, 1996.

MEMORANDUM

To: Hon. Page Walley, State Representative
From: Steven C. Hornsby, Juvenile Court Judge, Hardeman County
Re: Comments Regarding Numerous and Violent Offenses Committed by Juveniles of Hardeman County

1. Overall, the lack of housing and detention of juveniles charged with serious and violent crimes, both prior to and after trial, is of great concern for this County. There are only two detention facilities available to us in West Tennessee, i.e., Shelby County Juvenile Detention Center in Memphis and Madison County Juvenile Detention Center in Jackson. On occasions, both facilities are filled to capacity. Oftentimes, when a juvenile is committed to a Department, the Court is advised that there is no immediate placement available for the juvenile. This is a major problem that needs immediate attention. Space must be made available to detain or place a juvenile who poses a threat of possible harm to person and property and should not be returned to the community.

2. There is a drastic increase in violent crimes committed by the juvenile population while crime rates have gone down in the adult population. At this time here in our County, we have a 14-year-old female charged with the murder of her father's girlfriend, as well as other children charged with serious crimes, such as aggravated assault, rape and armed robbery.

3. Property Offenses have increased dramatically, such as burglary of personal residences and automobiles, as well as public buildings, such as schools.

4. Use of juveniles by adults to commit crimes. Adults are recruiting and inducing juveniles to sell drugs, steal and burglarize for them, telling the juveniles that nothing will happen to them, and then the juveniles that have been through the system are telling each other that there is very little punishment for their actions and it is no big deal. In fact, a juvenile from my county, after a hearing and disposition, boasted about the fact that he stole an automobile. Another male juvenile, age 15, who committed murder, commented shortly thereafter to a law enforcement officer that he would not be bothered with his victim anymore.

The root of a lot of this is that we have too many absentee parents and/or parents who fail to take any initiative to instill in their children the respect for another's person or property. The nuclear family does not serve as a support system to reinforce basic values, whether by parents wanting to do "what they want to do," excluding the children from these activities, or simply a lack of instruction whereby the child's social skills are learned from neighborhood and street activities and, basically, the only social skills, outside the school system, are those the child has from his environmental exposure. Too many parents feel that if they provide food, clothing and shelter, that is all that is required of them in the proper care and control of their children, leaving them to the influence of peer and gang pressure, and "easy money" through illegal activities, such as selling drugs, stealing, etc.

There must be community commitment to work with juveniles who do not have the benefit of a strong family support system. The State must meet these needs and provide the resources through prevention methods in hopes of solving some of our juvenile problems. Small counties do not have the financial resources available, and the Court system simply cannot force parents to be responsible for the actions of their children.

I also believe that resources need to be directed to families and children at risk of delinquent behavior at as an early age as possible. This could be done by targeting kindergarten and first grade children who begin to exhibit behavior problems and are truant from school. Unfortunately, by the time the child is in the sixth or seventh grade, much of the treatment and rehabilitation efforts will be wasted. Most children do not appear in juvenile court until their twelfth or thirteenth birthday and many times by then it is *too late* for meaningful intervention at the family level. By this time, the family has no control over the child which invariably leads to Court involvement. Because there is very little family and support system to work with to rehabilitate the child, too often the judge has no viable alternative other than commitment to state custody.

Any meaningful approach to dealing with these various problems must acknowledge that it is not a singular problem just of criminal activity. Rather, the juvenile delinquency and unruly crisis that we now face is unfortunately a symptom of a much larger societal change in values, family roles, self-reliance, and personal responsibility for one's actions. As well, I cannot help but believe that a degree of desensitivity to the feelings of, and identifying with, other people has been promoted by the excessive protrayal of violence in the entertainment media. How all of these problems can be addressed I do not know except through reinforcement of role modeling, parental involvement with children, and early intervention as soon as a family may be targeted as high risk.

As an immediate need, I believe that the state should make available resources to the individual counties to begin working with the families of "at risk" children as soon as possible. As well, local communities should be given grants to create local programs that may involve limited confinement, intensive instruction and supervision, and behavior modification. If each county had a local facility where the child would spend twelve hours per day, but spend the night at home, I believe rehabilitation could be as effective in the community and at a lower cost.

We also need the ability for "shock incarceration" programs for certain first-time offenders so that they can get a feeling of what being "jailed" as an adult is like.

I hope this is of help to you, and good luck with your appearance before Senator Thompson's committee.

Senator THOMPSON. I appreciate it very much.

I am sitting here thinking that the life experiences and backgrounds of the three of you have demonstrated the proposition that not all of the experts are in Washington on these issues. You especially, Representative Walley, have got a background that makes you a particular help in this area.

I wish you would tell us a little bit more about that title IV problem that Mr. Hattaway alluded to if you can.

Mr. WALLEY. I would be delighted to, Senator. That title IV–A funding is being used, approximately $13 million statewide, for programs like Crockett Academy, Carroll Academy where we have absolutely been able to tailor programs for those specific communities. I serve rural west Tennessee. I cannot comment to a great extent on the hearing you had yesterday because I am not in Shelby County, but I can tell you what we do in the rural part western third of our State.

Crockett Academy, for instance, has been able to divert scores of children from our State custody and it has not only saved hundreds of thousands, if not millions, of dollars, but what we have been able to do, we have been able to take these families, hold them together, right in the community, take these children to provide rehabilitation for them on the school grounds, providing the curfew supervision.

Senator THOMPSON. How does it work exactly? First of all, how do you identify a child that will be appropriate to address to this program and exactly who does what to carry this out?

Mr. WALLEY. I will tell you the details that I know. I have visited Crockett Academy and met with Judge Camp. I have included an appendix that will detail it more than I certainly can here. But the collaborative effort with the school authorities; that is, the teachers, the principals, the school counselors, also working with the juvenile judge, Judge Camp, with Ms. Reesha Black, they all as a team identify these children who are at risk—those being recommended for suspension from school in particular.

Senator THOMPSON. Disruptive?

Mr. WALLEY. Yes, sir; and no longer can be managed appropriately in the classroom setting. And not only are they obviously hurting themselves but they are making it impossible for those teachers to provide the education to the other students. They are able to remove them, place them in an environment that is very structured, very nurturing, involving physical education starting as early as 5:30 or 6 a.m. in the morning, with physical education instructors. They then go——

Senator THOMPSON. Do they have a complete school curriculum?

Mr. WALLEY. Yes, sir; they have a school curriculum, getting lesson plans from their classroom teachers referred to them. Then their teachers are able to take these children, give them their lessons. They have after school activities that are very structured. They are able to return to their own homes in the evening, with a curfew, with those curfews being monitored closely by staff from Crockett Academy to make sure they are there. If they are not there, they are——

Senator THOMPSON. They are specially trained, additional training that the average teacher would not have in dealing with the children of this type?

Mr. WALLEY. Yes, sir; exactly. The parents are involved, too, in this, I might add, in trying to give them the parenting skills and the discipline to make sure that these children are properly provided for. This gives then that second chance and prevents them from coming into State custody where, as you heard from Mr. Hattaway testify, the probability of successfully rehabilitating that child and putting them back into a healthy family environment is certainly minimized.

Senator THOMPSON. Do we know about how many academies there are statewide that we have operating under this?

Mr. WALLEY. I know there are 21 counties that were impacted by this. I am not sure how many academies. Crockett Academy serves strictly Crockett County. Carroll Academy serves four rural west Tennessee counties. There are multiple juvenile judges that are begging for the opportunity to do something like this. Judge Hornsby, whom I referenced and who I have appended a letter from him, is trying to do something similar in Hardeman County. The same thing in Fayette County with Judge McCraw.

Senator THOMPSON. Which one of these ran afoul of the Washington regulators?

Mr. WALLEY. Well, they all did, Senator. We were informed through our State Department of Youth Development that suddenly what had been perfectly acceptable up until now and, as you know, we are well into our budget year, halfway through our budget year, which began July 1, 1995. But suddenly, they are saying we are applying this funding inappropriately and that they are going to deny further funding.

My understanding was, of course, this has been appealed. I believe, though, that appeal has been met with a somewhat cool response to date. I just heard yesterday, and the juvenile judges did not find out this information until just this week, as a matter of fact, Judge Camp did not know until day before yesterday so he is somewhat understandably concerned and we are looking for a way to make sure that we continue this because it is going to be devastating financially, just between Senator Henry and those of us that serve the financial committees try to make appropriate adjustments. But more so than that, and much more importantly is the devastating standard resulting in these children being shipped out statewide, not only taken out of Crockett County but, as I mentioned, too, the problem we have with these emergency detentions is, they are having to be placed in transportation from facility to facility to facility just trying to keep them moving because we have no place to treat them——

Senator THOMPSON. We are going to work with you on that.

Mr. WALLEY. I appreciate that.

Senator THOMPSON. We will find out what the deal is.

Mr. WALLEY. And that person I referenced in that communication I referenced, I typed these specifics out.

Senator THOMPSON. Good. Good. The legislature has done quite a bit on the back end of the problem in terms of trying to deal with these youthful offenders and you are obviously dealing with a different category. I know, Representative Walley, you mentioned several times in your statement that things have been done such as trying youths and criminals as adults and things of that nature.

Ms. Harwell, do you want to summarize what the legislature has done recently in terms of addressing this problem on the criminal side?

Ms. HARWELL. Well, our legislature has just gone into session. I summarized what we had done for the past 2 years on the handout. And, in essence, the public will sometimes want us to get tougher on juvenile crime because juveniles may commit more serious crimes. That is why we are taking the steps in the legislature into getting tougher on crime.

And I think now we are moving toward certainly preventative measures to begin at a much younger age. Oftentimes we are too late to wait for the system to work. I reiterate, I think that is one of the positive sides of the Governor's reform package, that he does try to address some concerns at the very early age. He is very committed to early prevention getting to it at a much younger age rather than wait.

Senator THOMPSON. You know, it would seem to me in looking at these demographics now that with increasing numbers of young people coming down the pike at the problem age group, probably coming from Memphis, I think they probably have 50,000 children between the ages of 5 and 10, or something like that, that is really going to impact State juvenile facilities. You are going to have a lot of additional young people to deal with. Apparently, all the States are and it is really going to have a financial impact on the States. You already have a serious enough problem with your normal penal situation and with the present problem in general, it looks to me like the youth—part of it is going to become the bigger problem is youth.

Mr. HENRY. Well, it will, Senator. What we have got here in Tennessee, as I understand you know, is get away from the law of the institutions and provide some sort of—outside that very expensive institution.

You know, I feel kind of bad sitting here with all these good folks on each side and behind me talking lightly about Federal funds. They have been lifesavers. But I cannot sit here—that is just not my nature. What I am saying is what you sent us we have spent wisely, we will spend wisely. But prevention is where we need to put it instead of on the detention end.

Senator THOMPSON. Well, I feel uncomfortable myself sitting here having to listen to people who have devoted so much of your lives to public service and having to feel like you even need to ask anybody to send money to help the problem here in this local area. This points out a much larger problem. That is one of attention and revenues going more and more to Washington and the State and local governments constantly slammed, "You have got to balance your budget," or "You do not have a balanced budget in Tennessee." Or then you have to come to Washington with your hat in your hand asking for part of your money back. And that is a much bigger problem that I hope that I am able to address in the time that I am up there. In the meantime, we have got a bunch of young people coming down the pike that are going to have to be dealt with. We cannot work out all these philosophical debates until we get what we came for.

Mr. HENRY. Well, you are right, Senator. I apologize for raving on that. But you are sitting here in your official capacity and I thought I could say that. But I know I did not mean to go out past your specific requirements.

Senator THOMPSON. No. I understand. I think we can do much better at this though if we had a system where we had a bigger initial plan on revenues.

Mr. WALLEY. Tennessee does.

Senator THOMPSON. To deal with Tennessee problems. We will work on that in the future.

Let me switch gears with you just a minute. One of the things over the years that we have a lot of concern about is our juvenile court system. I think a lot of improvements are made. I know we have got a lot of great juvenile court judges now. A lot of people have said that we have a system that was designed for yesteryear, that it is not modern. It is not tough enough. We do not have a system that can deal with the hardened young criminal. What do you all see in the legislature along those lines? How do you think our juvenile court system is operating now? I know this may not be in the bailiwick of any of you but you probably have some contact with them.

Mr. HENRY. Our committee on children and youth went out to Utah and we inspected what they have done out there which is simply a district juvenile court. They seem to think it works very well. Are you gentlemen from Utah?

Senator THOMPSON. No, he is not.

Mr. HENRY. They have that system and it works very well in Utah. When you propose it for Tennessee, you run into problems.

Senator THOMPSON. Senator, he is from Washington and he is here to help you.

Mr. HENRY. You run into problems with it with the existing situation. And I really think it has to do—I really do hope someday we can have a juvenile court system in the State instead of this patchwork we have now.

Mr. WALLEY. Senator, our juvenile court judges in rural west Tennessee with whom I am most familiar with I think, as you alluded to, are very well trained and very burdened by what is before them. Most of them, as you know, sir, are both the general sessions judge and juvenile judge and where we are running into difficulty, I think, is not in the area of the severity of the recommendation from the judge. It is how do we then carry out these sentences, these efforts of rehabilitation. We are limited in our part of the State with placement for emergency detention just so that we can properly dispose of these juveniles. Find the best place for them and have their needs met whether that is a rehabilitation center, a diagnostic center or a correctional center. So we are trying to remedy that and Commissioner Hattaway has been very helpful in that regard but the juvenile judges in our area, I think, do not believe that the system of law we have that recommends certain types of responses in punishment is something that is troublesome. It is how and where can the individual carry out these sentences. So that is what we are working on, as I mentioned, Judge Camp is here today and Judge Hornsby. We are trying to come up with every knowledgeable method we can come up with.

Senator THOMPSON. The problem may be just more practical than anything. How to bail water out of the boat rather than legal structure and all that.

Mr. WALLEY. Just from my perspective, that is where our problems are from. We have the system in place. It is just how do we go ahead and carry through with what we say we want to do.

Senator THOMPSON. Well, a lot of things are involved. Title V funds have helped train juvenile justice and judges across the State.

Ms. Harwell, do you have anything else to say in addition?

Ms. HARWELL. I was just going to give some additional about it. We have attended very much of the students, separate our youth from the youngest offenders. And as we find younger children committing, we want to separate some of these that are 10, 11 or 12 as opposed to some of these 16 or 17. So I think we have to make that decision which I think is recommendable on our part.

Senator THOMPSON. I am sure it is. I know it is one of the things that we are addressing.

Mr. HENRY. May I make one more comment?

Senator THOMPSON. Yes, sir.

Mr. HENRY. I am not going to—in Tennessee, most juvenile court judges are general sessions court judges. And they have—and a lot of them are very conscientious like you said, but others—juvenile work is not a large part of the docket. That is why—the district court system like Utah.

Mr. WALLEY. Senator, I might just add, too, I think something Commissioner Hattaway mentioned earlier in trying to—the judges trying to disclose properly of these juveniles we have seen, obviously, a rapid alteration in the severity of the offenses that is bringing them into the system. We have facilities like the Wilder Center in Somerville that were constructed with a different type of the juvenile offender in mind. And now we have gone from the petty thefts and the truancies to murder and to rape and we are having to make responses in just the physical structure of the facilities in which we are trying to house these juveniles to protect them from one another. That is something else our judges are faced with, too, when they are trying to find appropriate placements for individuals.

Senator THOMPSON. Some of them, I am sure, are just faced with vastly increased numbers coming through their courts. I noticed here on one of the summaries that we have increased the penalties for truancies. Does anybody recall whether or not that involved incarceration?

Mr. HENRY. I do not believe you can.

Senator THOMPSON. Well, that was my point. I was wondering.

Mr. HENRY. You—not you, but your predecessors——

Senator THOMPSON. That is a mandate.

Mr. HENRY. You petitioned the juvenile judges money on incarceration for what it cost——

Senator THOMPSON. That is exactly right. What do you think about that? To restate what the Senator is talking about, is that in order to receive title V money, there are certain mandates, there are certain things that you have got to comply with, and one is not to incarcerate what they refer to as status offenders. In other words, if you were an adult, you could not be guilty of truancy.

What do you think about that, Senator?

Mr. HENRY. Well, I will not tell you that I am pleased that it is really a Federal question. I think if you have some money to send us for juvenile work, then it could be well spent. We have done it and if you would say, "Okay, we have got this much money to put into juveniles for crime prevention and here is Tennessee's share." And then you can send money—to be sure we spend the money right. Leave it up to us to decide what is to be done with it.

Senator THOMPSON. Of course, most people would not have any problem with not incarcerating truants. And there are exceptions in the act, but again, there are all different kinds of situations that judges are faced with and it does deprive any kind of flexibility for those situations, I suppose, under those circumstances.

I think you have indicated to make welfare reform. The Governor here earlier talked at changes in the welfare system could help the problems, help the Early Childhood Development Act. You mentioned the DARE Program, elementary school drugs. Are these things that you feel like are working? Can we tell whether or not we are doing any good? One of those things I discovered in Congress, you know, is that we keep passing the laws, but we have got so many of them now and the pace is so great that we have very little time to exercise any oversight responsibility which is our primary function, to see what programs are working and what programs are not. Do you have any feel for whether or not these preventative type programs are doing what they are supposed to be doing?

Mr. WALLEY. Senator, I can speak just from, again, experience in west Tennessee, from Crockett Academy, from Carroll Academy and looking at the bottom line just on diversion from State custody, more expensive State custody and on keeping families together. The numbers are there that says this—these pilot programs really are able to be now generalized to statewide application. We have Senator Henry refer to earlier on the Home Ties program that is a new section to the State. Again, I think Tennessee has the supportive data to show very conclusive that these programs are keeping children out of State custody which is very expensive and, obviously again, limits the possibility that they are going to have healthy, happier family futures.

And those are working. They are not just—we do not just feel like it is working. I think we have the numbers to show that. And we are working very diligently as Commissioner Hattaway is to try to qualify the type of offender, to try to place in the right treatment center and maybe along the way what kind of progress they are making like that aggression retraining program. So those are some of the data I think that can truly give you leverage when you speak to your colleagues on what works, not just what we think works.

Senator THOMPSON. One program that has been somewhat controversial is the one of boot camps that is actually authorized under title V but it is my understanding there are not any in Tennessee. There are some people out there with different ideas about them. Perhaps this is an executive plan question, but do you know why we have not experimented with that, or have we and I just do not know about it?

Mr. WALLEY. Senator, to my knowledge the only boot camps that we have—I am familiar with the one in Wayne County. It is not designed for juveniles. It is for first-time adult offenders and there is some—I guess they are still gathering information on how effective in the Department of Corrections. As far as our youth development area, to my knowledge we do not have any pure boot-camp-type setting. We have some elements of what some people might consider boot camp programming in some of our more comprehensive programs. Difficult education, close ordered marching drills, this is trying to teach discipline and cooperation but only as a small part of the overall education counseling and family therapy program.

Senator THOMPSON. All right. Thank you very much.

I sincerely appreciate you taking time out of your busy schedule to come over here and be with us. Thank you very much for being with us.

Someone pointed out to me this morning who sat through the hearings yesterday that the seats that you all are sitting on are a lot harder than the one I am sitting on and I did not take a break yesterday but let's take a 10-minute break.

Senator THOMPSON. All right. Good morning, ladies and gentlemen. Thank you very much for being here with us today. It is sure good to see an old friend here.

Mr. Leach, I appreciate you coming, the secretary of the board, Buddies of Nashville. Give us the benefit of your statement.

PANEL CONSISTING OF CHARLES LEACH, SECRETARY OF THE BOARD, BUDDIES OF NASHVILLE, NASHVILLE, TN; GEORGE PHYFER, DIRECTOR OF JUVENILE SERVICE CORRECTIONS CORPORATION OF AMERICA, NASHVILLE, TN; RANDY DILLON, COORDINATOR, PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES, CHILD AND FAMILY SERVICES, KNOXVILLE, TN; CHARLES BALLARD, PRESIDENT AND FOUNDER, THE INSTITUTE FOR RESPONSIBLE FATHERHOOD AND FAMILY REVITALIZATION, WASHINGTON, DC; AND LINDA O'NEAL, EXECUTIVE DIRECTOR, TENNESSEE COMMISSION ON CHILDREN AND YOUTH, NASHVILLE, TN

STATEMENT OF CHARLES LEACH

Mr. LEACH. Thank you, Senator. It is an honor and pleasure to be here today in this forum and an opportunity to visit with you over a subject that is very important to me in my heart.

I represent Buddies of Nashville, who is a fully accredited and affiliated member of Big Brothers/Big Sisters of America. As you probably know, Big Brothers/Big Sisters has more than 500 agencies throughout the United States. I think Big Brothers/Big Sisters of America was formed more than 90 years ago. The Nashville agency was formed more than 26 years ago.

I'm simply one of many volunteer Big Buddies who support the Nashville Big Buddies program. I was matched for, I think, 8½ or 9 years with a young man. I served on the board. I think I'm in my fourth year now and second year on the executive committee and secretary of the board.

Buddies of Nashville offers at least four programs to the greater Nashville area. All these programs focus on positive youth development. Our traditional program is the one-on-one matching of volunteer adults with children, where the adult serves as a role model and caring friend of the child. These adults are all unpaid volunteers from the community.

The adults and children are carefully screened before the match is completed. It's a very exhaustive process. The adults make a commitment, a promise, to stay with the match for a minimum of 1 year, and they must meet weekly in person 3 to 4 hours per week minimum.

We find that most of the matches last longer than the 1 year. I think in Nashville the average is almost 4 years, and my match was almost 9 years. We currently have 103 traditional matches in operation in Nashville. However, we have more than 115 children on our waiting list.

The second program we offer is called school-based mentoring, and this is also a one-on-one match with a volunteer adult and child. This program takes less time for the adult. It's for those adults that can't make a time commitment. The personal contact occurs largely in the child's school. We currently have 99 school-based mentoring matches.

The third program that we offer is for the children that are waiting for the matches, and this is called our AMIGOS program. This provides some activities and training for the children while they are waiting for the match.

And then lastly our professional staff conducts some what we call therapeutic mentoring programs for children that are either in foster care or getting ready to enter foster care or are in imminent danger of entering the juvenile justice system, or perhaps they are even in State custody. And this is done by a professional staff.

Buddies operates with a fairly small staff. The paid case managers all have degrees in behavioral science and are truly professional people in every sense of the word. They are not paid much compared to the rest of society. They work evenings. They work weekends to make the program work. And I simply cannot praise them enough.

Buddies is a United Way member agency. So about 40 percent of our operating revenue is money that we get through United Way. The remainder of our revenue comes from corporate and individual donations, which represents about 25 percent. The events that we put on, like golf tournaments and that sort of thing, that's about 25 percent of our revenue. And the balance comes from government entitled grants.

Buddies has been the recipient of several State grants through the years, and we received our first Federal grant last year. This Federal grant is called a jump grant and I presume you're familiar with it. It comes from the U.S. Department of Justice and it's from the Office of Juvenile Justice and Delinquency Prevention, the OJJDP. It's a 3-year grant. We were delighted to get it. It started July 1, 1995. Over the 3 years, it's $180,000. That's $60,000 per year.

This grant essentially funds the AMIGOS program for the children that are waiting, and it has allowed us to expand the school-based mentoring program.

In my opinion, and I think shared by my staff and the board, is that the contrast between State-funded and Federal-funded grants can be summed up as follows. It's much easier for us to work with State agencies than with the Federal agencies. But it seems that the physical distance from Nashville to Washington makes every step more difficult.

The Federal application was much more difficult than the State applications, much more paperwork, and seemingly written by former IRS agencies. It was really difficult. The paperwork involved in the reporting process is more cumbersome. The time between your initial application and the approval of the grant is about three times as long in my experience, which it's dominos at least to a lot of other problems.

Even telephone and written communication is more difficult. And I think the lack of personal contact between the recipient of the grant and whoever, some faceless person somewhere that's administering it, it makes the relationship less than what it could be. You and I know how all levels of government are bureaucratic and ought to be beneficial.

But my life experiences, and I was a Federal civil service employee for 2 years while I was in law school, and my experience is that Federal Government has no peer and no equal in its bureaucratic tendencies. The layers of redtape and the slowness that it works at is truly frustrating.

And I don't want to bite the hand that feeds me, but I do want to tell you that this jump grant which started July 1 and which we hired somebody. We had a small budget. We hired an individual and we're performing what we said we're going to do.

Seven months have gone by and we have not received one penny. And you can imagine how that impacts cash flow. And that does not happen when we are working with the State of Tennessee. I can go downtown and sit in somebody's office and get the problems straightened out. It's just difficult when the person's in Washington or the agency is in Washington.

Finally, in closing, I would like to assure you that the Buddies program actually works. There's a very extensive study, and if you don't have it, I'll give you this copy. It was done by an outfit in Philadelphia and covers almost 1,000 children that were entering the Big Brothers/Big Sisters programs in about 10 different cities. Half of these children were matched, half are unmatched, so they had 2 groups to study, and they studied them for 18 months.

And the results of the study showed a dramatic difference in the children, what they were doing and what they weren't doing. I'm not going to cite you the numbers, but it's just awesome. The study says that the competing programs that don't—the infrastructure that we do and all the supervision and the screening and all that, the competing programs don't live up to the success rate of Big Brothers/Big Sisters. But I think it's a study that you really should look at.

The result of all of our efforts is one of prevention. We connect with the children when they are very young. We bond with them. We offer them support and role models and friends, listeners. Our program works and our goal is simply to expand the program to reach more children.

Thank you.

[The prepared statement of Mr. Leach follows:]

PREPARED STATEMENT OF CHARLES LEACH

Buddies of Nashville, Inc. representative, Charles Leach, currently serves as the Secretary of the Buddies of Nashville Board of Directors. Mr. Leach began his involvement with Buddies of Nashville, Inc. as a Big Brother in 1987. His long term volunteer involvement with Buddies of Nashville, includes eight years as a Big Brother and Executive Committee member for two years.

Mr. Leach is a member of First Presbyterian Church, Friends of Radnor Lake, The Hundred Club, Friends of Warner Park, and Buddies of Nashville, Inc. In addition to his involvement with Buddies of Nashville, other charitable activities have included legal work and annual donor for the Nashville Ballet; fund raising for the Nashville School of Law; and Chair of the American Cancer Society Golf Tournament. Mr. Leach served in the United States Air Force on active duty for five years and served in the Tennessee Air National Guard from 1963 to 1989, retiring with the rank of Colonel.

Mr. Leach received his Doctor of Jurisprudence at Nashville School of Law and practiced privately from 1972 to 1986. He served as President of Interstate Paving Company, Inc. He was Vice-President of Micro-Surface, Inc. for five years. Mr. Leach provides consulting services for the entertainment industry and is currently President of P3 Corporation, Nashville, Tennessee, and President of Twin Lakes Chevrolet-Olds, Inc., Livingston, Tennessee.

Buddies of Nashville, Inc.
"Youth Violence: State Solutions"
February 15, 1996

Buddies of Nashville is the local Big Brothers/Big Sisters of America affiliate serving the Greater Nashville community since 1969.

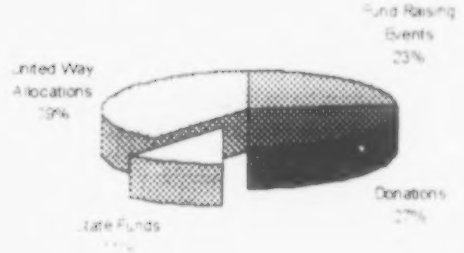
Our mission is to build confidence and direction in children from primarily single parent families through Traditional and Mentoring one-to-one Big Brother/Big Sister relationships, family and volunteer development services, and preventive and interventive outreach programs.

In the late 1960's, a group of young civic leaders and human service professionals shared a concern and a vision. The concern was for the alarming number of young boys with an absent father who were entering our juvenile justice system. The vision was prevention, through one-to-one role modeling. In the 1970's, Buddies added one-to-one services to females, became a United Way member agency, and became the Greater Nashville affiliate of Big Brothers/Big Sisters of America.

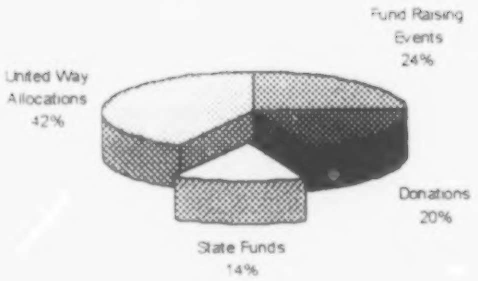
Buddies became a leader in child abuse risk reduction training in the 1980's. This program became a national model for Big Brothers/Big Sisters of America. In 1991 the agency began our School-based Mentoring Program in partnership with the Metropolitan Nashville Public Schools in two inner city communities. This program has been nationally and locally acclaimed, most recently by the State of Tennessee Department of Education as one of the Top 10 Drop out Prevention Programs in the State. In 1995 the agency began the pilot program AMIGOS (Adult Mentors Investing in Group Opportunities and Service). This program was designed to serve over 250 at-risk youth who are waiting to be matched with a Big Brother/Big Sister. These programs provide a continuum of services for the previously unserved and underserved at-risk youth, 6 to 12 years of age, and their families. The goal of these programs is to facilitate at-risk youth's successful transition into adulthood through the positive promotion of academic, behavioral, emotional, social, and family development.

Funding

1994 Funding



1995 Funding



Buddies of Nashville, Inc.'s annual budget is approximately $400K.

In 1995 Buddies of Nashville, Inc. received acceptance notification for a Federal Department of Juvenile Justice grant for expansion of our School-based Mentoring and implementation of our AMIGOS programs.

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Program Services

Buddies of Nashville, Inc. is a volunteer driven agency serving children from primarily single parent homes and their families through four programs.

Traditional Big Brother/Big Sister Program

The traditional Big Brothers/Big Sisters program serves youth, 6 to 18 years of age, primarily from single parent families, making up approximately 28% of our community. Due to these families being primarily single parent (female), many experience excessive stress caused by such factors as unemployment/ underemployment, and multiple family problems. Over 50% of the families we serve have household incomes below poverty level. These families have few resources available due to their socio-economic status, typically resulting in a lack of availability to other resources, such as affordable housing, food, employment, and child care. Approximately 49% of the families we serve are Caucasian, 50% are African American and 1% other. Approximately two-thirds of the families with incomes below poverty level are African American.

The parents or legal guardians desiring our services typically initiate contact with our agency by telephone. A professional caseworker determines the eligibility of the potential client. Eligible children and their families are required to attend child abuse prevention training. This training focuses on family education as a means to prevent child sexual, physical, and emotional abuse. The caseworker also conducts a separate psycho-social interview with the child and parent/guardian. School records and needs assessments are obtained for evaluative purposes. Approved children then wait to be matched with a Big Brother/Big Sister. Ineligible children are referred when appropriate to other community agencies.

School-based Mentoring Program

The School-based, intensive family-focused, Mentoring program began in 1991 with the direct intent of serving high-need, underserved families within our community with the exception of those youth with juvenile court involvement. This program has been nationally and locally acclaimed, most recently by the State of Tennessee Department of Education as one of the Top 10 Drop-out Prevention Programs in the State. At present, the agency serves inner-city communities within five (5) Metro Nashville Public Schools.

The youth in these programs are 6 to 18 years of age and are primarily referred by their teacher, counselor, or principal as a high-need, at-risk youth. In May 1994 a baseline study of information was established characterizing families and youth in the Mentoring Program. The parents of the matched youth and/or the youth's teachers provided the following baseline data:

Low Family Income Level - 82%
History of dropouts in the family - 78%
Single Parent Households - 79%
Child held back in school one year or more - 62%
Low self esteem - 62%

75% of these families are African American, 24% Caucasian, and 1% other. These communities are viewed as extremely high-risk due to the high incidence of:

Abuse/victimization
Crime
Incarcerated family members
Alcohol and other drug use
School dropout
Teen pregnancy

A written referral and needs assessment targeting the highest at-risk youth is submitted by elementary education professionals to a Buddies of Nashville, Inc. professional caseworker. The caseworker then determines the eligibility of the potential client. Eligible children receive child abuse prevention training. This training focuses on family education as a means to prevent child sexual, physical, and emotional abuse. The caseworker also conducts a psycho-social interview with the child and parent/guardian at the child's home. Approved children then wait to be matched with a Mentor. Ineligible children are referred to Buddies of Nashville, Inc.'s Therapeutic Mentoring program or to other community agencies when appropriate.

Therapeutic Mentoring Program

The Therapeutic Mentoring Program was designed to serve high need youth, 6 to 18 years of age, in Davidson County who are:

Currently involved with juvenile court
or
At imminent risk of entering state custody
or
Recently reintegrated in their home after release from state custody
or
Currently residing in state custody

The Davidson County Department of Human Services and residential agencies fund this program and refer youth for service. The youth are served by paid Therapeutic Mentors who have a minimum of a bachelors degree in Behavioral Sciences or a related degree with relevant experience. This program is innovative because it establishes a funding relationship between a Big Brothers/Big Sisters agency and the State of Tennessee Department of Human Services.

AMIGOS (Adult Mentors Investing in Group Opportunities & Service)

Amigos is a pilot program component designed to provide services to children who are waiting to be matched in a traditional or mentoring program. These children are "waiting list" youth due to a lack of available and committed volunteers. Services include educational, cultural enrichment, community service, and recreational group activities. The goals of this program are to provide an opportunity for:

1. Waiting Little Buddies to interact with other children also waiting to be matched.

2. Waiting Little Buddies to interact with various adult role models.

3. Waiting Little Buddies to participate in a variety of low cost activities that might not otherwise be available to them.

4. Waiting Little Buddies to learn the importance of community service and giving back to the community.

5. Adult volunteers to become involved in the program who would otherwise be unable to meet the commitment of weekly contact in a Traditional or Mentoring match.

6. Adult volunteers to acquaint themselves to actions and personalities of children prior to being matched.

7. Professional staff to evaluate the volunteer's skills in interacting with children.

Clients Served

Buddies of Nashville, Inc. serves children ages 6 to 18. Generally children below age 6 are not developmentally ready to be matched one-to-one with an adult outside the home or school. The one-to-one matches in both the traditional and mentoring Big Brother/Big Sister model are made when the child is between the ages of 6 and 18. While many relationships continue well past the child's 18th birthday, Buddies of Nashville, Inc. does not monitor or track matches past this age.

By beginning the one-to-one match while the child is under age 12, the relationship will bond. After age thirteen, the youth may not think he or she needs a Big Brother/Sister. By matching, prior to that age, the relationship is established, and the Big Brother/Sister can help guide the child through adolescence.

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Adult Volunteers

Adult volunteers are recruited through group orientations at local colleges, businesses and Buddies of Nashville's office. Community contacts, past and present volunteers, high visibility fund raising events, and local/national recruitment campaigns all contribute to our adult volunteer base.

A stringent screening process identifies and rejects applicants who are ineligible, inappropriate, or who are unlikely to honor their time commitment or bond with the youth. Volunteer screening includes a written application requiring demographic information; an in-person interview; an assessment of the volunteer's home environment; references from non-relatives, and a police check with local, state and/or national law enforcement agencies.

Continued training and support is provided by professional caseworkers to matched volunteers. This training covers:

How to recognize and report incidence of sexual abuse

Developmental stages of youth

Case plan development addressing identified social, emotional and academic needs of the client

Communication and limit setting skills

Tips on relationship building

Recommendations on how to best interact with the Little Buddy

Additional resource material

Other community resources

Regular supervision of match progress

What Works/What Doesn't

According to the P/PV report, "BB/BS's intensity and extensive infrastructure contrasts sharply with the laissez-faire structure of most of the newer programs. Part of the appeal for the initial wave of mentoring programs implemented during the 1980s was their seeming simplicity: advocates of these programs contended that adults could

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"naturally" work with youth. Mentors required only time and dedication, not screening, training or supervision. Founders of these programs recalled adults who served as their mentors--coaches, teachers and neighbors--and wanted to re-create that type of support with today's youth. Thus, early recommendations for establishing and maintaining mentoring programs typically touted a laissez-faire approach that appealed to sponsors wary of instituting procedural and structural requirements they felt would intimidate volunteers."

Mark Freedman warns in a 1992 report that, "Merely hitching adults to kids, without adequate infrastructure, may create a sense of action, but is likely to accomplish little. It may even backfire. If a relationship engenders hurt or reinforces negative stereotypes, it is worse than no mentoring at all. This report clearly shows the impact of screening volunteers and match supervision. Mentoring programs with less controls are less likely to meet consistently and less likely to achieve a necessary relationship for positive impact on youth's lives".

P/PV's study found, "96 percent of first-year matches had met at least once in the previous four weeks and that, on average, the Big Brothers and Big Sisters had met with their Little Brothers or Little Sisters an average of 3.1 times during that period".

By comparison, a study of six campus-based mentoring programs that served a population similar to that of BB/BS, but had minimal volunteer screening, no criteria for matching and minimal supervision, showed a much lower rate for interaction. Only 57 percent of these matches met on a somewhat regular basis(Tierney and Branch, 1992).

Results

A recently published study by Public/Private Ventures found that Little Brothers and Sisters who met with their Big regularly for about a year were:

Little Brothers and Little Sisters were 46 percent less likely than controls to initiate drug use during the study period. Our results indicate that for every 100 youth in this age group who start to use drugs, only 54 similar youth who have a Big Brother or Big Sister will

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start using drugs. An even stronger effect was found for minority Little Brothers and Little Sisters, who were 70 percent less likely to initiate drug use than other similar minority youth.

Little Brothers and Little Sisters 27 percent less likely than controls to initiate alcohol use during the study period, and minority Little Sisters were only about one-half as likely to initiate alcohol use.

Little Brother and Little Sisters were almost one-third less likely than controls to hit someone.

Little Brothers and Little Sisters skipped half as many days of school as did control youth, felt more competent about doing schoolwork, skipped fewer classes and showed modest gains in their grade point averages. These gains were strongest among Little Sisters, particularly minority Little Sisters.

The P/PV study provides confirmation that the Big Brothers/Big Sisters program model works - that a structured and professionally supported One-to-One relationship between a child and an adult can provide positive outcomes for that child. The Big Brothers Big Sisters Program is a **leader** in the field of mentoring because of the positive impact our volunteers have on children and youth. This "Big Brothers Big Sisters difference" is the reason One-To-One matches are such an effective force for change in the lives of at-risk youth. This difference is due to screening, staff support, and the holistic approach to the child's developmental needs.

There are an estimated 14 million children growing up in single parent homes in this country. There are over 33,400 children in the Nashville Community from single parent homes. There are far more children in this situation than Big Brothers/Big Sisters of America can serve on its own. This points to the need to collaborate with other sectors of the community who share our concern for these youth who are at-risk, and adapt our program model to make it available to more children.

According to the P/PV study, the minimum standards that are prerequisites for an effective mentoring program are

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Thorough volunteer screening that weeds out adults who are unlikely to keep their time commitment or might pose a safety risk to the youth

Mentor training that includes communication and limit-setting skills, relationship building skills, and recommendations on interaction with a young person

Matching procedures that take into account the preferences of the youth, their family and the volunteer, and that use a professional case manager to analyze which volunteer would work best with which youth

Intensive supervision and support of each match by a case manager who has frequent contact with the parent/guardian, volunteer and youth, and provides assistance when requested or as difficulties arise

The success rate for the Buddies of Nashville, Inc. programs can be seen through a customer evaluation conducted in 1994. This evaluation shows that most parents, teachers and administrators report positive changes in these children as a result of the mentoring relationship. Children are reported as more independent, outgoing, and mature. They have better self-esteem and take more pride in their appearance. These children have a better attitude toward school, attend school more often and receive better grades in school. Parents, students, mentors, teachers and administrators all report a high level of satisfaction with the quality of the relationship between the mentor and the child. Parents who responded to the questionnaire report that **NONE of the children involved in the Mentoring Program have ever had charges filed against them in juvenile court**.

Mentors, teachers, administrators, parents and the matched youth from the program served through J.C. Napier and North-East Nashville communities were asked if they saw changes in the youth served by Buddies of Nashville, Inc. as a result of the mentoring relationship. For each of the following categories, the improvements reported are noted below:

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Feelings about him/herself	90%
General behavior	88%
Grades in school	86%
Attendance in school	76%
Attitude toward school	83%
Relationship with other children	89%
Relationship with other adults	89%
Independence	88%
Outgoing	94%
Maturity	73%

Our vision is to develop the resources, environment and mechanisms to provide a caring adult in the life of every child in need. To fulfill this vision, we need to continue expanding our program model into community settings such as schools and corporations. In the improved behavior and attitudes of the Little Brothers and Little Sisters in the P/PV study, we can see the benefits of a positive youth development approach to mentoring. The next step is to find ways to bring this approach to more children who need it. To that end, we need more volunteers, increased funding, and public recognition for the value of this service.

Senator THOMPSON. Thank you very much, Mr. Leach.

Mr. Phyfer.

STATEMENT OF GEORGE M. PHYFER

Mr. PHYFER. Thank you, Senator.

I, within the last year, returned to the State of Tennessee. I grew up in Shelby County, have a graduate degree from the University of Tennessee. The past 30 years I have been working in Mississippi and Alabama within the juvenile justice system. And the past 21 years, I served as State director for juvenile corrections.

I'm very fortunate to be able to come home and work with the Corrections Corp. of America [CCA] in Nashville. As you might know, we are the largest private sector correctional management company in the world. We have over 28,000 beds in 11 States. In juvenile programs, we are working in 6 States, in the areas of pretrial or pre-adjudication teaching, boot camps, long-term security institutions, and community residential programs.

I know yesterday that you heard from Judge Turner and from Mr. James Ball, who is the administrator of our Shelby Training Center. So I won't go into the specific programs they have. What we try to do, though, is provide a safe and secure environment for our staff and for the young people who are placed there, while at the same time providing public safety and running programs that give young people the opportunity to become productive citizens if they take advantage of the programs based on education and counseling and discipline, work, health, recreation, and its specialized programs for specialized needs.

What I see right with a long-term secure institution, such as the Shelby Training Center and others that I have been in in the last 30 years across our country, is that if they do provide a safe and secure environment, they can provide structure and discipline with a program based upon education. Those that tend to be most effective are those that are not overcrowded, that are staffed adequately, and have a good financial base.

What I see wrong in many of our long-term institutions across this country is that they are overcrowded and they are in a position where they are not keeping the chronic and serious juvenile offender long enough.

Very briefly, I would like to enter some testimony about juvenile boot camps. This is a program which became popular some 5 to 6 years ago across our country. Many people within the field are skeptical about these programs because they feel that they are different from traditional models that we have seen in the past. I am behind the person who believes that if they run a good one, they can be successful.

While in Alabama some 6 years ago, we started our first juvenile boot camp. And we called it a modified boot camp because it had many programmatic differences from the adult model that we see. Since January 1990, there have been over 6,000 young people who have graduated from that program.

It is a program based upon structure, discipline, that is physically intense. It helps you develop self-esteem, reliance, and trust. It also has in it, though, a strong remedial education program, a GED preparation program, counseling, and work. What is most critical in a juvenile boot camp is that you put the right type of young person in there.

I think studies are bearing me out now that show that kids that have been in the juvenile system for repeat numbers of times who were put into boot camps tend to bomb out of these like they do in other areas.

I've seen that these can be very effective with the first-time offenders and kids who have not penetrated the system too deeply.

It has been my experience for the past year while working at the Corrections Corp. that there seems to be a crisis coming about in middle America because of the lack of pretrial and preadjudication detention space. This is not a problem which is just specific to Tennessee, but I have found it in Kentucky, in Texas, and in all areas of the country.

In the past, what happened, our larger cities provided detention space for rural communities. But now with the increase in juvenile crime, our city facilities are filling up, leaving our counties with little relief. I have heard stories of States throughout the country where law enforcement officers are taken out of the jurisdiction, where they have to travel for 3 to 5 hours one way, to try and secure a place to hold a young person before his hearing day.

A possible solution for this would be development of regional juvenile detention facilities. I have worked on several of these, and I know there is a very critical need for this in the west Memphis area.

One of the things that CCA has been successful with is developing programs that are co-located at adult facilities. These have been approved by the Justice Department. They do meet State requirements of separating by sight and sound juveniles and adults. They provide separate staff with separate administrators, separate entrances, and really just share a complex. We do operate this model in three areas of the country.

I have found that in our smaller communities, there tends to be a lack of money for juvenile detention. And I was very pleased to hear some of the testimony today about the possibility of block grants, because I think States should be able to determine what their needs are and apply what available Federal funds that are available to them to meet those needs.

In conclusion, within our juvenile system, I see too much overcrowding, which leads to too many serious offenders being released early. I think that we need to do a better job of separating those serious offenders and providing the appropriate amount of programming and incarceration for them, while at the same time, I feel that we need continuing services for other young people where we can work with them within communities.

Thank you.

[The prepared statement of Mr. Phyfer follows:]

PREPARED STATEMENT OF GEORGE M. PHYFER

Corrections Corporation of America is the industry leader in private sector corrections—CCA contracts for the provision of correctional services in both the adult and juvenile fields in eleven states, Puerto Rico, Australia and the United Kingdom. Our company presently provides juvenile detention, secure institutional services or community residential programs in Tennessee, New Mexico, Texas, Florida, Indiana and Kansas.

Our mission is to provide a quality service for less money than government is presently spending. We are able to work with communities, states and the federal government in designing, building, financing and operating facilities and programs at a savings which ranges from five to 10% in operations and 10 to 15% in construction. Frankly, we are able to do this because the private sector is not obliged to comply with a broad array of costly bureaucratic requirements, particularly in the area of procurement of goods and services.

Today no informed critic of privatization contends that contracting with private enterprise will not save money. Instead, critics advance the "you get what you pay for" argument and allege that discount prices will necessarily yield substandard services. This could not be further from the truth. Evidence shows that satisfied customers continue to renew contracts; that there are no privately operated facilities operating under consent decrees or court orders from suits brought against them while numerous publicly operated systems are under court supervision; and a greater percentage of privately operated correctional facilities meet national standards and are accredited by the American Correctional Association than those in the public sector.

The question facing us today is not "which is better—privately or publicly operated programs?" The question is "what can we do about the rapid increase in violent juvenile crime?" and "what programs seem to be the most effective in turning young people around and protecting the public?" I will briefly explain three much needed programs which are proving to be successful.

First is the secure institutional program for serious juvenile offenders. In 1986, CCA opened the Shelby Training Center in Memphis, Tennessee. This facility, specifically designed for the Juvenile Court of Memphis and Shelby County by CCA, was built to provide a secure alternative for juvenile males, ages 13 through 21 whom the court believes should be kept near their homes rather than being committed to the Tennessee Department of Youth Development.

Shelby Training Center is unique in that it is a community-based secure juvenile training school. Traditionally, this responsibility has always been provided by state correctional institutional services in facilities located near the state's capital or in close proximity to each other to provide cost efficiencies to the state. Community linkage is a key to the success of STC. The youth's family and the community are totally involved in the overall programming effort. STC provides family counseling and regular parenting classes. Visitation is frequent and well attended because of the proximity to family members.

The facility is constructed of precast concrete and block and is designed for both efficient operations and pleasing appearance. The eight separate and distinct housing units, which provide a total of 200 single rooms, have both privacy and protection for each resident and are designed for maximum flexibility for unit management and programming. A spacious vocational and academic education area, appropriate medical support facilities, and extensive indoor and outdoor exercise/recreation spaces are also part of the complex.

The building offers excellent supervisory sight lines, oversized corridors and functional separation of resident services and public access. As in other facilities CCA has developed, the design purpose is to provide residents and staff with a safe and pleasant working environment.

The Program provides a highly structured environment where the resident has an opportunity to learn and practice behavior that is both law-abiding and socially acceptable while living in a setting which minimizes risk to the public, himself and others. A comprehensive array of programs and services are offered to meet the needs of residents and includes:

1. An education and pre-vocational curriculum which provides a minimum of 5½ hours of formal instruction each day.
2. Counseling services include individual, group and family counseling. Programs for sex offenders, substance abuse and early intervention, as well as individual and group psychotherapy are offered through contractual arrangements with local practitioners.
3. A comprehensive recreation program based on organized athletic competition, arts and crafts and a wide range of religious programs for individuals/groups.
4. An active Community Volunteer Program that is designed to enhance the overall program and to provide liaison between the residents and the community.
5. Health care
6. A residence employment program
7. Security and control

Shelby Training Center exemplifies CCA's philosophy that secure juvenile training schools can be operated in a safe and secure environment that provides public safety and at the same time, offers programming which will teach juvenile offenders to become productive citizens. Shelby Training Center has proved successful because it is adequately staffed, will not become overcrowded and is well financed. It is accredited and meets national standards.

A second model of a successful program is the juvenile boot camp. At present, there are none of these programs operating in the state of Tennessee. Many practitioners of juvenile corrections are skeptical of this model because it differs from the traditional approaches of working with juvenile delinquents. As Director of Youth Services in Alabama, I supervised a successful model of this program which has had over 5,000 graduates since January 2, 1990. It is a program which is designed to provide structure, discipline, be very physically intense, develop self esteem and reliance and promotes team-work and trust of others. The model includes a strong remedial education program, GED preparation for eligible youth, counseling and work.

Critics of the juvenile boot camp model say that it is abusive, teaches no real skills or is only in vogue because it is politically popular and satisfies the public outcry to "get tough on crime". The key to a successful model is supervision of staff, programming in education and counseling, and strong aftercare supervision. Those programs, which have tended to be unsuccessful, have leaned too far toward the "in your face" behavior from staff and too much emphasis on discipline without the provision of other program components. A typical day in the Alabama model is 14 hours of physical training, running four miles, education, counseling, ropes courses, physical competition and work, with no commercial TV, radios or tape players. Every youth does homework each night, writes a journal of daily activities plus letters to his Judge, probation officer and family. Youth earn credit for the day by achieving an 85% successful completion of each activity. If you do not earn the day, you do not get credit for it. Graduation from the program is based solely on the progress of the individual youth.

"Boot Camp" is not a panacea nor is it the right program for all delinquent youth. It is one alternative which is shorter in duration, less expensive and very effective for appropriate youth in need of discipline, structure and improved self-esteem.

The third model for consideration is pre-adjudicated detention at the local level. Today, in this country, a crisis exists outside of our major metropolitan areas because of inadequate or non-existent detention facilities or programs. Judges who know what to do with troubled youth have their hands tied because they have nowhere to detain young people who are a danger to the public and to themselves. Juvenile crime is rapidly moving into small town America where there are little or no resources. Smaller communities must band together to provide regional services, particularly in the juvenile detention area. By having regional services, this crisis can be overcome.

One alternative available to communities is the collocation of adult and juvenile offenders at the same site. This task is achievable if proper planning is done to ensure that total sight and sound separation of adult and juvenile offenders is achieved. Facilities of this type must also have their own separate staff with a separate administrator as well as appropriate juvenile detention. CCA has successfully developed this model in three different locations which are Santa Fe, NM, Larado, TX, and Liberty, TX.

Juvenile programs can be greatly enhanced by the availability of increased Federal support. I am a strong advocate of the Block Grant system of support to the states. This method of assistance allows states to utilize much needed funds on their own priorities rather than supporting systems that may not be needed in a particular area.

In conclusion, many different models of programs for working with delinquent youth can be and are successful. In the past, these programs have been under-funded and poorly staffed. Juvenile corrections has not had the resources to keep up the drastic increase in youth crime. Because of a lack of space, many programs release kids early to make room for others. The system then becomes a revolving door. Violent aggressive youth need longer periods of confinement with more structure and discipline, something that has been missing in many programs in the past.

Whatever program model that is used, the most important element in working with youth is a strong aftercare component. Incarceration alone is not the answer. When youth return to their home communities, they must have supervision and support to maintain the progress which they have made.

Thank you for the opportunity to provide this testimony.

Senator THOMPSON. Thank you very much, Mr. Phyfer.

Mr. Randy Dillon, coordinator, Psychiatric Residential Treatment Facilities, Child and Family Services, Knoxville.

STATEMENT OF RANDY DILLON

Mr. DILLON. Thank you for the opportunity to be here today.

I have worked mostly with adolescents and families for several years. I currently work for Child and Family Services in Knoxville.

We are a private, nonprofit multiservice agency that provides services to children and families in east Tennessee. The agency currently has 49 programs and serves 18 counties.

Our programs range from prenatal to psychiatric residential treatment program. And that's where we get kids who have committed violent crimes, including murder, and we work closely with the courts.

We have two programs that have Federal funding: Families Together with Schools is a program proven to help reduce school failure, juvenile delinquency, substance abuse, and school dropout rates. It works with schools and families and is replicated in 20 States.

Another program is the Runaway Shelter. It helps children and families with counseling services.

The problems children face today are more complicated than ever before. Numbers have increased dramatically and the level of disturbance is alarming. I think we all agree the breakdown of the family system is a major issue.

When I was a kid, the only problem my mama had was finding somebody to supervise me, and today there are many children who have no supervision, no one to provide guidance for them or to teach them values.

A lot of kids are expelled from school for long periods of time. I think the answer to juvenile violence is programs that provide early intervention. And early intervention is prevention. And those programs need to be funded.

Day treatment in Tennessee has been a very big program in prevention that, fortunately, in its 10th year has come into being. Very few kids receive their certificate if they are not happy.

To summarize, it's going to take church and school and the courts, agencies, and child care services all working together.

Thank you.

Senator THOMPSON. Thank you, Mr. Dillon.

Mr. DILLON. Thank you for the opportunity to talk about this subject.

[The prepared statement of Mr. Dillon follows:]

PREPARED STATEMENT OF RANDY DILLON

Hello, my name is Randy Dillon. I am employed by Child and Family Services, a private non-profit multi-service agency, that provides services to children and families in East Tennessee.

Child and Family Services has a tremendous range of services from pre-natal to the most intensive form of psychiatric residential treatment for adolescents. The agency currently has 49 programs and serves 18 counties.

The problems affecting children and families today are not limited to cities, but are being recognized in both rural and urban areas. An example of this is a recent shooting by a teenage in a small town close to Knoxville where the youth shot his father 13 times in the head.

Our psychiatric residential program comes into play after adolescents have been in a psychiatric hospital or institution. Several of these children have committed homicide and other violent crimes against society. Haslam Center has never turned down a child referred by the Department of Youth Development. We have worked with some of the toughest kids in the state of Tennessee and have had a great deal of success.

From all of our experience, it is obvious that there is a glaring need for more prevention services. Families Together with Schools is a program proven to help reduce school failure, juvenile delinquency, substance abuse and school drop out rates. It works with schools and families to provide early intervention, support and training which will help strengthen the "at risk" child and his/her family. The Families Together with Schools programs around the country show a reduction of 20–25% in children's risk-related behaviors, a 70% increase in parent participation in child's education and a 40% increase in parents furthering their education. The statistics state for themselves just how successful the program really is. This program has been successfully replicated in 20 other states. Without continued funding, this program will not exist in Knoxville.

Another program proven to be critical in helping "at risk" children and families is the Runaway Shelter. The Runaway Shelter has provided continuous shelter and counseling services for runaway, throwaway and homeless youth and their families since 1978. During that time, over 5,000 youth have been provided shelter and another 10,000 youth and families have been provided non-residential services.

A Safe Place outreach program was added in 1988 and provides over 100 outreach sites backed up by 90 community volunteers, Alcohol and Drug Prevention Programming was added in 1992, and a Transitional Living Program to assist older homeless youth establish independence was begun in 1994.

Although the Runaway Shelter Programs receive substantial local support, including financial support, continued Federal Funding is absolutely essential in order to continue to provide services needed by youth and their families to prevent abuse, neglect, substance abuse, and homelessness.

The problems children face today are difficult and more complicated than ever before. The numbers have increased dramatically and the level of disturbance is much greater. The breakdown of the family system, a more mobile society, more single parents, the advent of gangs, easy access to drugs, and all types of abuse are all circumstances putting children at risk. Children are unsupervised. They do not have the structure they need to develop internal controls and they have nothing positive to connect with.

Today there are many children expelled from schools for long periods of time. Understandably, teachers do not want major troublemakers in their classroom. However, some alternative for putting structure in a child's life instead of expelling them with nothing to do is imperative. Again, it is up to the community, professionals, agencies like Child & Family Services to help meet the needs of these children.

In the past day treatment has been a good prevention program for children having emotional, family and school problems. Many have been referred by the juvenile justice system because they have broken the law. Since TennCare began the MCO's (Managed Care Organizations) have denied a majority of children for day treatment/partial hospitalization. Under Medicaid these services were paid for and now only very few children receive these services because TennCare simply will not pay.

The goal for us all is to keep kids out of psychiatric hospitals and other institutions who really do not need to be there. There will always be a need for residential facilities and group homes, but with early intervention, treatment will be less costly and reduce the number of children needing this type of service.

By the time children are placed in residential treatment they are in their midteens. The treatment process then takes longer and it is more difficult to treat adolescents whose problems have grown and have become more complicated than if they had been treated earlier in life.

What good does it do to blame parents and school systems? This will not help the problem of youth violence. Yes, some parents need to be held accountable; others need to be taught to set limits. Many adults need to be taught basic parenting skills. Someone needs to teach them.

Being a part of Child & Family Services does give a unique view of the problem of youth violence. The solution is to provide earlier intervention than we now have and to get people more involved through law enforcement, courts, churches, schools, and the community in general. We certainly need consequences for youth already adjudicated, such as correctional institutions. Even more, we need funding for prevent programs with the proven outcomes.

THE RUNAWAY SHELTER & PROJECT SAFE PLACE

The Need.—The numbers are startling: There are over 1½ million runaway kids a year in the USA; 90% of missing children are actually runaways and throwaways; approx. 500 youth were housed at the Runaway Shelter of Child & Family Services

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in 1993. Over 5,550 youth have been served since 1978; and every year, the Runaway Shelter experiences an increase in the number of runaway youth served.

The Kids.—Over 90% of the youth served at the Runaway Shelter came from a 40 mile radius of Knox County, (About 56% Knox County, 35% counties surrounding Knox, 9% out of state). The Runaway Shelter is one of five licensed runaway shelters in Tennessee.

70% of youth served at the Runaway Shelter have been previously physically, sexually, or emotionally abused.

34% of the youth served have attempted suicide in the past.

25% of the youth served had expressed thoughts of suicide when admitted to the shelter.

About 30% of youth came to the shelter through Project Safe Place or self referred (walk in off the streets).

Approximately 25% of the youth are referred by the TN Dept. of Human Services (usually because of abuse or neglect).

About 15% of the youth are referred or brought in by area law enforcement.

Approximately 13% of youth are referred by Juvenile Court.

BIOGRAPHICAL SKETCH—RANDAL CLAY DILLON

Randy Dillon, 45, of Knoxville, Tennessee, has worked 23 years with emotionally disturbed children and their families. Mr. Dillon has a Bachelors of Arts Degree as well as an MSSW from the University of Tennessee. He has held a wide variety of positions in this field and is currently coordinator of Child and Family Services' Psychiatric Residential Treatment programs. Child and Family Services, a private non-profit multi-service agency provides services to children and families in East Tennessee. The largest program, Haslam Center, is a level III psychiatric residential treatment facility for seventy-five emotionally disturbed adolescents.

Senator THOMPSON. I'd like to introduce Mr. Ballard, president and founder of the Institute for Responsible Fatherhood and Family Revitalization in Washington, DC.

STATEMENT OF CHARLES AUGUSTUS BALLARD

Mr. BALLARD. We are facing a major crisis in America today because of the juvenile violence, an increase of death of parents, death of children and death of the whole community.

Let me share with you a personal experience that perhaps can give us a better light of this. When I was 2½, my dad was sent to a mental institution. I grew up without a father and became a young father at 17.

I abandoned my home, abandoned my child, joined the Armed Forces. I got into drugs and alcohol and later on was in prison. I came out of prison, hadn't finished high school, prison record, undesirable discharge.

In 1959, I adopted my son because I realized that it was only because of my own dad's absence that I had gone through what I had gone through. And I realized also that if I didn't change my own life, my own son would grow up the same way. So I got my GED, I got a B.A. degree, got a master's degree.

And then later on in Cleveland, began to see homes where there were no fathers. And those children had serious problems in school and in the community in the assessment of violence.

And so we began to reach fathers across the city of Cleveland. Over a period of 7 years, we reached over 3,000 fathers and getting these fathers to spend time with their children.

And it's very interesting that, over the years, we spent money on female services but no services to the father. But we found that when we provide services to the father we impact significantly with both the mother and children.

Now, I'd like to share with you three things. First, I'll discuss our program. Second, I'll discuss why this work is necessary to reach fathers. And third, I will share with you some recommendations that I feel goes to the core of our solution.

Our programs are mainly with the intent of finding fathers and directing the fathers back to their children. We have been successful in having an impact on fathers. Some of the results are: 97 percent of our fathers spent more time with their children and provide child support; 96 percent have re-evaluated their lives and changed their attitudes; 10 percent of these fathers are married to the mother of their children; and 74 percent of the fathers have found full-time jobs on their own.

How do we accomplish this? We go into the community, and we find these fathers that were on drugs, and we train these fathers to become role models with a message. Then you hire these fathers to track the other fathers and again you work with them. It's a chain reaction. I find it very interesting that when the father is put into a community where they work, they seem to provide a better role model for those boys and girls.

In the end, because of our intervention, these fathers establish paternity, they get married, their fathering skills are enhanced, they get educational, vocational and employment opportunities.

In helping fathers live up to their responsibilities, we are accomplishing something more than bringing families together. By changing fathers' attitudes and behaviors, our program provides children with new and positive models to emulate. When these children grow up and become adults, they won't be lost and susceptible to the violence and danger that lurk on our streets in this country.

They will come from a place where their fathers have taught them about honesty and integrity by modeling these traits in his own life in the way he interacts with them. They will learn to live honestly and how to be contributing citizens in our society.

I dare say that the positive role models we help to create will break a deadly pattern of fatherlessness that, if left unchecked, will be repeated through the generations to come.

Over the years, some of you have come to our program and have found us to be very effective. Former President Bush said, "Because of the Institute, more fathers are managing their lives, caring for their children, staying in school, finding jobs and strengthening our society."

Congressman Stokes said that those young fathers in our programs "take pride and provide support for their children." William Bennett said that he feels in order to reduce social ills programs such as these must be replicated across our country.

And, finally, Dr. King from the University of Ohio said, "The Institute for Responsible Fatherhood has the potential to become the most important and effective community-based program since the advent of modern social welfare services. It provides proteges with a sense of purpose, a culturally relevant ethos, and the practical assistance required to become self-actualized."

I believe that by placing an institute into communities, we can actually transform our children to adults.

Having said all of that, I come to my second point, and that is, why we need such organizations in our communities. We have to bring fathers together to spend time with their children and, by doing so, these children have a sense of hope. According to statistics, 50 percent of America's rapists, 72 percent of adolescent murderers, and 70 percent of inmates grew up without their fathers. And these are my recommendations.

My final point. Children are the source of our future resources. They need support and guidance to become productive citizens. Unfortunately, in many cases that father is absent or not attentive to his children.

So we want to support programs that will bring fathers back to the lives of their children. One of the best things the Government can do is provide support for nonprofit organizations that are getting to the root of the problems, and that is fatherlessness.

We need to have programs going door to door and finding fathers and young fathers and guiding them back to their children's lives. Now, what comes out of this? Fathers marry the children's mother, they establish paternity, they provide for their children financially, they begin to nurture their children, and it reduces violence towards women, children and other men.

We also need to find out how can we transform the welfare system which, I believe, gives more money to individuals who are not responsible and we are not caring for the children by doing so. And we can bring the father back to the community.

We should include the father back in his children's life and, by doing so, we can transform our communities and make life safe for children.

Thank you.

[The prepared statement of Mr. Ballard follows:]

PREPARED STATEMENT OF CHARLES AUGUSTUS BALLARD

Charles Augustus Ballard is president, chief executive officer, and founder of the Institute for Responsible Fatherhood and Family Revitalization.

Mr. Ballard was born in Underwood, Alabama in June, 1936, At the age of 17 years old, he became a young father and joined the U.S. Army as a paratrooper with the 101st Airborne, "Screaming Eagles" Division. After leaving the U.S. Army in December 1959, he returned to his boyhood hometown of Bessemer, Alabama; adopted his five year old son; and moved to Huntsville, Alabama.

In 1963, Mr. Ballard moved to Oakwood College, a Seventh Day Adventist institution designed to prepare Christian African Americans for service to their fellow man. He enrolled in the college as a full-time student in 1966 and graduated in 1970 with a B.A. in Sociology/Psychology. Later that year, he entered the masters program at the School of Applied Social Sciences at Case Western Reserve University on a full scholarship. In 1972, he completed the masters program and received his M.A. in Social Welfare Administration.

Mr. Ballard went to work at a local city hospital in 1976. While there, he conducted research involving some 400 fathers, ages 14–25. This study showed that in many ways the father's presence had a profound effect on the mother and their children. Upon completion of the research, Mr. Ballard came to the realization that, "in order to increase life opportunities for mothers and children, comprehensive non-traditional services must be provided for them."

In 1978, Mr. Ballard started the Teen Father Unit at Cleveland's Community Health Services. After four years, he left the agency to establish the Teen Father Program: A Family Service—which later became the National Institute for Responsible Fatherhood and Family Development.

In March 1994, Mr. Ballard incorporated the Institute for Responsible Fatherhood and Family Revitalization and moved the national headquarters to Washington, D.C. While there is national and international interest in this program, Mr. Ballard's vision is to build on the process of replicating the successful 13-year modeled program started in Cleveland to other cities in the United States.

The Institute's primary mission is to build bridges between the generations and Mr. Ballard feels the best way to carry out this mission is to create environments that are father friendly, child friendly, and family friendly. Thus, making the work of the Institute a valuable and needed resource in the community.

Good afternoon. My name is Charles Augustus Ballard and I am the Founder and President of the Institute for Responsible Fatherhood and Family Revitalization. I am very happy to be here today to offer testimony on a very real and urgent development in our country—youth violence. You are hearing today many facts and figures which portray a bleak and depressing picture in many of our inner cities and rural areas. Youth violence is not restricted to racial and ethnic identity, socio-economic status, nor rural-urban boundaries. You are benefitting today from the testimony of law enforcement officers, social services professionals, and esteemed members of our juvenile justice system. I will also be contributing my views on youth violence and what community-based organizations can do to reduce it. But first, let met take one minute to explain some of the source of my knowledge on the topic.

I come to you as an individual who grew up as one of those angry young people without direction; without the guidance of a father, and without hope in my community. I was an angry young man who abused drugs; lived an irresponsible, violent lifestyle; who was incarcerated; and who abandoned his child. It was not until I realized what growing up without a father had done to me, that I could turn my life around 360 degrees. I reclaimed my child, finished my secondary education, and went on to earn a masters degree in social work. It was through this personal experience and my work at a hospital in Cleveland, Ohio, that I realized children suffered immensely from the absence of a father in their lives. It was at that point in my life that I decided to help reunite these children with their fathers. It is reported that I am the founder of the first teen father program in the United States. This program later became the Institute for Responsible Fatherhood and Family Revitalization. Today, we serve fathers of all ages in helping them make that emotional and financial committment to their children and to the mothers of their children.

The Institute, which has been servicing fathers for 15 years, does work that, I believe, confronts the rise of youth violence in this country. Over the next five minutes, I will discuss three key points and you will see why we make the claim that a non-profit service organization, such as ours, plays a major role in reducing the conditions that lead to youth violence. First, I will describe the work we do at the Institute. Second, I will discuss why our work is necessary. And third, I will talk about the proper role of the states and the federal government in addressing youth violence in America.

THE INSTITUTE

The Institute for Responsible Fatherhood and Family Revitalization has created a remarkably successful approach that brings African American fathers back to their children and families. The Institute is a non-profit 501(c)(3) organization created in 1982 in Cleveland, Ohio. Last year, with the assistance of the Ford Foundation and other founders, we became a national organization and we are now beginning to service neighborhoods in Milwaukee, Wisconsin; Yonkers, New York; Washington, D.C.; Nashville, Tennessee; and San Diego, California. I am also happy to say that Governor Tommy Thompson of Wisconsin has enthusiastically endorsed our program. He has created a Fatherhood Initiative with half a million dollars in funding for the 1996–1997 year. Tennessee's Governor, Don Sundquist, has just approved a $200,000 appropriation for our developing program in Nashville.

We have one clear goal at the Institute and that is to turn the hearts of fathers to their children and to turn the hearts of children to their fathers. In other words, we want to create a health, stable, and safe relationship between fathers and their children. Our program uses an intervention model that has literally changed the lives of thousands of absent and non-attentive fathers. Essentially, our program is a community-based approach that uses what we call "nurturing counseling technology." In the end, because of our intervention, fathers establish paternity; enhance their fathering skills; and improve educational, vocational, and employment opportunities.

To accomplish this goal, we put what we call Outreach Specialists into a community. These specialists provide fathers and with non-traditional, one-to-group counseling; and one-to-family counseling. Our Outreach Specialists live and work in the neighborhoods we target to provide our services to fathers and their families. By actually being a part of the neighborhood community, out Outreach Specialist have direct access to the fathers to help them make a positive change in their relationships and responsibilities to their children. We go anywhere we have to, to find fathers who need our help. We visit pool halls, schools, basketball courts—wherever we have to go to get to the people who need our help. When we find them, we go directly into their homes to conduct intense counseling sessions to get to the very core of their problems. needless to say, our staff is very dedicated. Our Outreach Specialists work around the clock to bring families together and to improve neighborhood conditions.

In helping fathers live up to their responsibilities, we are accomplishing something more than bringing families together. By changing the behaviors and attitudes of the fathers, our program provides children with new and positive role models to emulate. When these children grow up and become adults, they won't be lost and susceptible to the violence and dangers that can lurk on America's streets. They will have come from a place where the father has taught them about honesty and integrity—by modeling these traits by the way he lives his life and by the way he interacts with them. They will now how to live honestly and how to be contributing citizens to our country.

I dare say that the positive role models we help create will break a deadly pattern of fatherlessness that, if left unchecked, will be repeated through the generations as we have seen in these past 30–40 years.

Our program has been very successful in having a positive impact on fathers and their families. A 1993 evaluation of the Cleveland program conducted by professors at Case Western Reserve University had the following findings: 97% of fathers spent more time with their children and provided financial support; 96% of fathers experienced an improved relationship with the child's mother; 92% of fathers developed positive attitudes and values; and, 62% of fathers gained full-time employment and an additional 11% gained part-time employment.

Over the years, several people have recognized the importance of the work that our organizations undertake. Former President George Bush has said that "Because of the Institute, more fathers are managing their responsibilities; they are caring for their children; [and] staying in school; and getting jobs; this is strengthening our society, but best of all, it gives hope to kids that count on dads to come through."

Congressman Louis Stokes of Ohio said that the Institute's programs make men "take pride in their children, being parents, and providing support for those children."

State Representative Lois DeBerry has demonstrated her support for the Institute's model by providing positive leadership and resources for implementation of our program in Nashville.

In 1993, William J. Bennett, in his 1993 book entitled, "Index of Leading Cultural Indicators," said one of the best ways to reduce many social ills facing America is to support programs like the Institute for Responsible Fatherhood.

Finally, researchers such as Dr. Anthony King of the Mandel School of Applied Social Sciences have summarized the impact of our work quite succinctly. Dr. King stated, "The Institute for Responsible Fatherhood and Family Revitalization has the potential to become the most important and effective community-based program since the advent of modern social welfare services. It provides proteges with a sense of purpose, a culturally relevant ethos, and the practical assistance required to become self-actualize."

We are not going to rest on our laurels by any means. As I mentioned a few minutes ago, we expanded our services to six cities. However, there is a critical need to replicate this program for fathers, families, and children in hundreds of cities. Over the next ten years, we will ensure that growth. We will replicate our model program in targeted neighborhoods characterized by high rates of single head of households, crime, drugs, and violence.

WHY THE INSTITUTE FOR RESPONSIBLE FATHERHOOD AND FAMILY REVITALIZATION IS NECESSARY

Well, having said all this, I come to my second point. And, that is that we need organizations like the Institute because we are living in tumultuous times. We are living in a time when, tragically, the phenomenon of youth violence continues to grow in this country. And why is that? Well, research clearly indicates that there is a strong link between fatherlessness, crime, and poverty. The National Fatherhood Initiative, a group that collects data about fatherhood in America, and a group whose founder I consider to be an esteemed scholar and a dear friend, has tremendous research to support these findings. According to statistics, 50% of America's rapists; 72% of adolescents murderers; and 70% of long-term prison inmates grew up without fathers. Data also exists that clearly links growing up without a father to underachievement in school, mental illness, drug abuse, youth suicide, delinquency, and crime.

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Other statistics indicate a horrible condition for African men in particular. For example, we have more African men in prisons than in colleges. One in three African fathers ages 19–29 is under judicial supervision by being in prison, on probation, or on parole. Of those in secondary-level schools, African males have the highest suspension and expulsion of all pupils. African fathers have the highest unemployment rate of all groups. Also, because of homicide, suicide, heart attacks, high blood pressure, and other related medical problems, African fathers have the only decreasing life expectancy of all male groups.

If all this is so, we actually are creating homes that have no fathers—specifically in the African families.

Programs such as the one provided by the Institute for Responsible Fatherhood and Family Revitalization do not treat the symptoms of fatherlessness such as crime, rape, violence, and other dysfunctions. Our program has been designed to attack the source of the illness. We believe, as many organizations in our business do, that fatherlessness is the cause of our symptoms. This is why we work to keep fathers with their families. We work to attack fatherlessness itself and not the symptoms. In other words, our counseling counteracts the dysfunction that can foster in children raised in fatherless families. The type of dysfunction in many families relates directly to the topic of youth violence of this hearings today.

In 1963, Daniel Patrick Moynihan warned that the fundamental weakness in the African American community was fatherless homes. The weakness is seen in the high rate of homicides among African fathers, ages 16–35. It is seen in the disproportionate rates of African fathers in courts and prisons. This crippling weakness of fatherless homes has directly affected school dropout rates, drug and alcohol usage, and out-of-wedlock parenting rates in the African American community.

I can site several examples that speak to the nightmarish directions some of our youth are taking. In Virginia, for example, police detectives are providing testimony in a case in which a 13-year old boy was recently stabbed and killed and his body left in an icy pond near his home. His killers were a 44-year old man and a 15-year old boy. The young boy apparently helped to stab the 13-year old with a Phillips screwdriver. The reason for killing the young boy has yet to be determined.

In high schools across America, teachers have to do more than teach history and math and all the other subjects necessary to provide our youth with a well-rounded education. Now because of growing violence, they have to offer programs such as Operation Cease-fire, an anti-violence forum offered at Douglass Junior High School in the Anacostia section of Washington, D.C. The students hear about the consequences of violence from other young people such as Serek Matthews, a 23-year old man who was shot by youths while in drugs and crime in the nation's capitol.

RECOMMENDATIONS

On my next and final point, let me say that our children are our future resources of this great country. We need to give them the support and guidance that they need to become productive citizens.

Unfortunately, absent or non-attentive fathers have been regarded as the "problem" in our society, but they are really the solution. In order to combat fatherlessness and its attending ills in our cities, we must provide the opportunity for fathers to learn how to nurture, care, and support their children.

One of the best things government can do is to provide support to non-profit organizations that are bitting to the root of the problems. Creating more jails to put violent youths is not the answer. Nor, is developing legislation so that we can lock them away for longer periods of time. The answer to our problems is to support organizations that attempt to help American families maintain a solid foundation in family life so that we create communities in which our children can grow up to be healthy and productive members of our society.

Let me now close with four specific recommendations government can take to address youth violence.

First, in order to combat youth violence which comes out of fatherlessness and its attending ills—we must provide direct, non-traditional, grassroots, door-to-door intervention services to young fathers, their fathers, and their families. This will produce: Fathers marrying the mothers of their children; fathers establishing paternity; fathers contributing financially to their children; fathers nurturing and providing faith environments for their children; and fathers reducing violence towards women, children, and other men.

Second, at all levels of governent—federal, state, and local—at the judicial, legislative, and executive branches—all programs must be examined to ensure that services to fathers where appropriate be included. This will do the following: Transform the welfare system by including fathers 100% in the life of their children; greatly reduce the incarceration burden on juvenile judicial systems; reduce the case loads of juveniles in the system; reduce the many social service programs and their costs; and reduce the high death rate among children, youth, and adults.

Third, we must create in the printed and electronic media, a national public information program that promotes positive, loving, and responsible fatherhood. This can be done by making great use of television, radio, newspaper, magazines, bumper stickers, billboards, computers, and other forms of communication.

Fourth, government must create specific legislation that will call for a nation-wide program on responsible fatherhood which includes appropriate funding for direct services, research, and evaluation.

We live in a time that requires government to take a serious look at how we can combat this outbreak of violence in our society. I command this Subcommittee on your efforts in taking a serious look at youth violence in Tennessee and our nation. The committee, in my opinion, is taking the right steps towards getting to the roots of the problem of youth violence. As I said earlier, we have to cure the illness rather than take a superficial approach and put band-aids on a serious cut. Together, we can be successful by turning the hearts of the fathers to their children and the hearts of the children to their fathers.

I thank you for this opportunity to speak before you today.

Senator THOMPSON. Thank you very much, Mr. Ballard. It's good to see you again.

Ms. O'Neal. And Ms. Linda O'Neal is the executive director of Tennessee Commission on Children and Youth.

STATEMENT OF LINDA O'NEAL

Ms. O'NEAL. Thank you, Mr. Chairman.

I appreciate the opportunity to come before you today to discuss the very positive profound impact that the Federal Juvenile Justice and Delinquency Prevention Act has had in Tennessee. I have worked within the juvenile justice system and with the Federal funding in this State for 20 years, and often serve as the institutional memory of the system.

As Senator Henry said, we have used the Federal funds well in Tennessee. JJDP Act funds have contributed to significant improvements in the service delivery system in Tennessee in terms of the range of alternatives available and in terms of delinquency prevention programs.

Perhaps more significantly, JJDP Act funds have stimulated major systems changes, capacity building, and improvements in Tennessee. And some of those I'd like to highlight for you today.

One is the Tennessee Rules of Juvenile Procedure. Though all other courts in the State had rules of procedure, there were none for the juvenile courts until the JJDP Act funding provided the staff and support necessary for the development of the basic court rules for juvenile courts.

Recordkeeping is another area where the JJDP Act program has had a significant impact. While Shelby County has long had an excellent recordkeeping system, there was no standardized recordkeeping system statewide, and many courts had essentially no records at all until this system was developed and has been supported with JJDP Act funds, including purchasing computers for juvenile courts so they have essential tools.

JJDP Act funds have also provided training for juvenile court judges and staff and other needed materials. They will, in fact, report training on gangs and strategies for dealing with gangs in this State later this month.

They require as one of the mandates removal of children from adult jails. They provide ongoing financial assistance to counties through the re-endorsement act to help it pay for not keeping the children in adult jails. Jail removal has been very successful in Tennessee. We have seen a number of children in adult jails decline from over 8,400 in the early 1980's, to less than 10 per year in 1990.

We also accomplished the deinstitutionalization of status offenders to eliminate the inappropriate incarceration of children who are truant, runaway, or ungovernable with serious and violent offenders. From status offenders to the children, they should not be placed with serious offenders.

The current valid court order exception which you listened to earlier in the JJDP Act do permit judges to institutionalize those status offenders who cannot be dealt with in any less drastic way. JJDP Act funds also provided the initial funding for all 13 of the group homes that are currently operated by the Tennessee Department of Youth Development, which is the agency which Mr. Hattaway heads.

They also provide support for increasing staff in juvenile courts. In the mid-1980's, less than half the juvenile courts in Tennessee had any probation or intake or any type of support staff. Now all courts in the State do, mostly because of the impact of the juvenile justice funds.

They've also stimulated the development and implementation of a wide range of early intervention and prevention programs across Tennessee such as mentoring, truancy reduction, after school supervision, victim mediation, structured planning, structured recreation, and individual, group, or family counseling.

The process of funding allows local communities to development local solutions. So programs can vary depending on the need in the different communities and different juvenile courts.

The price to monitor for a successful compliance with your goals and objectives, and if you are unsuccessful in funding and you discontinue and redirect to other communities that can hold successful programs. Some of the other witnesses testifying yesterday and today represent agencies that have established or expanded programs using these funds, including the cost of programs in Memphis and, perhaps before Mr. Leach's time, the School-Based Mentoring Program that are there were initially started with Federal JJDP Act funds in Tennessee. The Families Together and Schools Program are currently receiving those funds.

The Juvenile Justice and Delinquency Provision Act is a constructive State and Federal partnership. The Federal level provides national, State technical assistance and support for the National Coalition for Juvenile Justice. The state benefits significantly from these resources, particularly from technical assistance and other services.

In many ways the JJDP Act funds are already like block grants to the States. If a State is in compliance with the basic mandates, as Tennessee is, then it is up to the State to determine how it will use the funds in accordance with the advance techniques and other provisions of the act, which really do not cause any major problems. The State advisory group requirement and planning requirement ensure that a broad section of Tennesseans are involved in determining the use of the Federal funds.

Placing responsibility for planning and dissemination of the funds with such a body ensures that a wide range of needs are considered and addressed. Let me be clear today, or be sure the record reflects, that the Federal funds that are in jeopardy—are not Federal Juvenile Justice and Delinquency Prevention Act funds. They are funds of title IV–A, Social Security Act that are administered by the Department of Human Services.

We wish we had $13 million a year like they talk about. Many of our changes have been simulated with about a million dollars a year.

If Federal funds are distributed through a block grant administered by State service delivery departments, two negative outcomes are likely. One is that administrative costs will increase and the other is that the needs of that department will come first in the allocation of funds rather than broad distribution to meet the needs of juvenile courts and community agencies that provide prevention or early intervention programs.

There is clearly a need for a Federal presence in the juvenile justice system in the United States. The Federal role should be to provide information, technical assistance, and guidance, and to permit the States to focus the Federal funding on prevention and early intervention programs.

States will always find the funds to deal with the serious and violent offenders like they always find the money for prisons. In Tennessee—for the past 8 years. By the year 2050, 1 in every 10 Tennesseans will be in prison. While most of us may not be here in 2050, many of today's children will be.

Unfortunately, if we fail to pay now for prevention and early intervention, we will pay later and pay more when we pay to incarcerate serious and violent offenders. The Federal Government simply must continue the Juvenile Justice and Delinquency Prevention Act and to keep it for prevention and early intervention as an investment in children and as an investment in safe communities for all of us.

And I'll be glad to answer any questions you have from my perspective about what studies I have or any other issues.

[The prepared statement of Ms. O'Neal follows:]

PREPARED STATEMENT OF LINDA O'NEAL

Good morning Mr. Chairman, members of the committee, I appreciate the opportunity to come before you today to discuss the profound positive impact that the federal Juvenile Justice and Delinquency Prevention (JJDP) Act has had on the juvenile justice system in Tennessee. I have worked in and around the system and the federal funding in Tennessee for 20 years, and often serve as the institutional memory of the system.

Juvenile Justice and Delinquency Prevention Act funds have contributed to significant improvements in the service delivery system in Tennessee in terms of the range of alternatives available and in terms of delinquency prevention programs. Perhaps more significantly, JJDP Act funds have stimulated major systems changes, capacity building, and improvements in Tennessee.

TENNESSEE RULES OF JUVENILE PROCEDURE

Though Tennessee long had rules of procedure for other courts, there were no rules governing operation of Tennessee's juvenile courts until the JJDP Act provided the resources essential for their development. JJDP Act funds provided staff to work with the Tennessee Bar Association, Tennessee Council of Juvenile and Family Court Judges, and the Tennessee Supreme Court to research, draft and revise text for the development and implementation of the Tennessee Rules of Juvenile Procedure that were adopted in 1983.

RECORDKEEPING AND COMPUTERS IN JUVENILE COURTS

In the mid 1970's, shortly after passage of the JJDP Act, there was the telling true story of a staff person collecting data on juvenile court caseloads for JJDP Act planning purposes. He went into a county in a rural area of the state, located the judge in a local restaurant, and told and judge he needed to check on the court's caseload and records. The judge reached into his inside jacket pocket and pulled out a three by five spiral notebook. That notebook literally contained all records of the juvenile court in the county.

Since that time, JJDP Act funds have supported the development of standardized record keeping in Tennessee juvenile courts. Without adequate records we really cannot accurately document changes in youth violence, or juvenile court referrals and offenses. Funds are currently utilized to provide the Tennessee Council of Juvenile and Family Court Judges with assistance for managing the record keeping system and assisting counties in submitting data for it.

Funds have also been used to purchase computers for the courts. Courts with inadequate technology not only have difficulty with record keeping, they also have difficulty processing the basic petitions, orders and other paperwork essential for the administration of justice. Computerization results in more efficient utilization of staff time for record keeping and paperwork tasks, consequently freeing time for actual service delivery, supervision, and intervention with children and families.

JUVENILE COURT JUDGES AND STAFF TRAINING

JJDP Act funds have also been used to ensure the availability of sufficient training for juvenile court judges and staff in Tennessee. Adequate training is essential for the proper administration of justice and to keep professionals informed about changing environments and new ideas for effective intervention. Limited resources in Tennessee mean that adequate training would not have been and would still be unavailable in this state without JJDP Act funds. Later in February the Tennessee Council of Juvenile and Family Court Judges will present JJDP Act-funded training on gangs and strategies for dealing with gangs.

REMOVAL OF CHILDREN FROM ADULT JAILS

Requirements for continued eligibility for federal JJDP Act funds have stimulated positive changes in the way children are handled in the juvenile justice system in Tennessee. In the early 1980's over 8,400 children per year were placed in adult jails. Through the use of juvenile detention facilities on a regional basis and the development of temporary holding resources and a few new regional detention centers, coupled with statutory detention criteria to more appropriately determine which kids are dangerous and consequently need to be locked up, the placement of children in adult jails has virtually been eliminated. There were 9 such documented instances for Tennessee's last complete monitoring period.

Tennessee accomplished jail removal with the recognition that some children are clearly dangerous and need to be locked up. However, children do not need to be placed with adult inmates where there is substantial likelihood that they will be victimized, where there are higher suicide rates, and where the main thing they may learn are finer points of criminality.

DEINSTITUTIONALIZATION OF STATUS OFFENDERS

The mandates of the Juvenile Justice and Delinquency Prevention Act have also stimulated other positive changes in the juvenile justice system in Tennessee. Deinstitutionalization of status offenders was an initial mandate of the Act to force states to address the inappropriate incarceration of children who had not committed offenses that would be crimes for adults.

Certainly status offenders are some of the most troubled and troubling children handled by the juvenile courts, but they are not serious and violent offenders and should not be placed with serious and violent offenders. To lock up these children with serious and violent juvenile offenders increases the likelihood that they will both be victimized and move from status offenders to delinquent offenders.

The current valid court order exception to the deinstitutionalization requirement provides judges with a reasonable procedure that requires adequate due process for children, but ultimately permits courts to institutionalize repeat status offenders. We should not eliminate the deinstitutionalization mandate and revert to a time when children who are truant, runaway, or ungovernable are put in inappropriate and extremely costly placements with serious delinquent offenders without trying other alternatives as provided by valid court order procedures.

OTHER SYSTEM IMPROVEMENTS

Other improvements in placement alternatives for juvenile have been developed with federal JJDP Act funds. The Tennessee Department of Youth Development currently has 13 group homes that serve as alternatives to institutional placement and/or as step-down placements for transition from institutions back to the community. Federal funding provided the start-up costs for all thirteen of these facilities in the 1970's. As federal funding phased out, state dollars have continued these essential programs.

Federal funding has been utilized in a combination of advocacy and direct funding to increase the availability of staff in the juvenile courts in Tennessee. As recently as 1982, only half the juvenile courts in Tennessee had any youth services officers/probation officers/intake officers, any kind of juvenile court staff. A combination of advocacy for state funding and the provision of seed money directly to juvenile courts has resulted in all courts in Tennessee now having necessary staff for intake, record keeping, probation, and other functions. JJDP Act funding made this critical capacity building and system improvement possible. Through the use of the federal funds as seed money, courts have been able to employ staff and demonstrate their effectiveness. As federal funds phase out, counties continue these vital services.

DELINQUENCY PREVENTION AND EARLY INTERVENTION

In recent years, Tennessee has focused its federal JJDP Act funds on juvenile delinquency prevention and early intervention programs. We all know the wisdom of the oil filter commercial: you can pay now or pay later—and generally you pay more if you pay later. This is also true in the juvenile justice system. Tennessee now focuses much of it's JJDP Act funds on delinquency prevention efforts. Delinquency prevention and early intervention efforts have included such activities as mentoring, tutoring, truancy reduction, after school supervision, victim mediation, structured recreation, and individual, group or family counseling, depending on the needs of individual courts and communities. Representatives of some of those effective programs were scheduled to testify today to provide you with firsthand information about their value.

Along with the Tennessee Commission on Children and Youth emphasis on delinquency prevention with JJDP Act funds, the Tennessee General Assembly's Select Committee on Children and Youth has also recognized the importance of prevention and early intervention services. They have provided leadership in directing other federally funded efforts in Tennessee toward basic preventive services and supportive services for families in an effort to avoid future undesirable outcomes, including delinquency. This has been the thrust for the past two administrations in the executive branch in Tennessee with the Children's Plan and now creation of the new Department of Children's Services as we struggle to provide more prevention, early intervention, and family supports to keep children out of state custody and reunify them with their families as soon as appropriate. If federal funding ends for JJDPA prevention programs, runaway shelters, and other prevention programs funded with Family Preservation and Support Act, Title IV–A and other federal funds, the loss will be significant to the new Department of Children's Services and is likely to result in increasing numbers of children in state custody.

We all know that it is more cost effective to prevent problems before they occur. We should also know that we cannot afford to build our way out of the crime problems in America. If Tennessee continued the same rate of prison building that it has utilized for the past eight years, by the year 2050, one out of every two Tennesseans will be in prison. Now most of us will not be around then, but some of today's young people will be, and if we don't provide prevention services now, they may be among those in prison.

Even the recently released Guardsmark-funded study regarding youth crime in Memphis focused on the need for prevention, early intervention, and coordination of efforts as the most effective strategies for addressing youth violence.

FEDERAL-STATE PARTNERSHIP

The JJDP Act provides an appropriate federal-state partnership. The Office of Juvenile Justice and Delinquency Prevention serves as a resource for the states, provides national studies, and provides technical assistance that magnifies the impact of the federal funds in the states. Technical assistance has been critical in many of the improvements in the Tennessee juvenile justice system that have been discussed today. Technical assistance helped with the development of a plan for removing children from adult jails, including the development of temporary holding resources and the reimbursement account to assist counties in paying for alternatives to placement in adult jails. Technical assistance to plan for detention and other local facilities for juveniles continues to be provided to Tennessee counties, as in January of this year in Montgomery County.

Technical assistance has assisted in developing and improving record keeping in Tennessee and stimulated the passage of legislation for the establishment of Juvenile-Family Crisis Intervention Teams modeled after successful strategies in New Jersey for effectively dealing with status offenders. These teams will be an important resource for the new Department of Children's Services to more appropriately and cost-effectively deal with status offenders in the context of their homes and communities.

In addition to the services provided through the Office of Juvenile Justice and Delinquency Prevention, the federal-state partnership also includes the National Coalition for Juvenile Justice. The information and conferences provided through the Coalition enable states to share ideas and strategies for continuously improving the juvenile justice system. The Coalition is an important and effective support, training and networking resource for the states.

BLOCK GRANTS

In many ways, the Juvenile Justice and Delinquency Prevention Act funds are already like block grants for the states. If a state is in compliance with the basic mandates, as Tennessee is, then it is up to the state to determine how it will use the funds. The state advisory group requirement and planning requirements ensure that a broad cross section of persons are involved in determining the use of the federal funds. Placing responsibility for planning and dissemination of the funds with such a body ensures that a wide range of needs are considered and addressed. The maps and tables attached to this testimony graphically present the broad distribution of federal Juvenile Justice and Delinquency Prevention Act funds across Tennessee since the last reauthorization of the Act in 1992.

If federal funds are distributed through a block grant administered by state service delivery departments, two negative outcomes are likely. One is that administrative costs will increase. The other is that the needs of that department will come first in the allocation of funds rather than broad distribution to meet the needs of juvenile courts and community agencies that provide prevention or early intervention services.

CONCLUSION

There is clearly a need for a federal presence in the juvenile justice system in the United States. The federal role should be to provide information, technical assistance and guidance, and to permit the states to focus the federal funding on prevention and early intervention services.

States will always find the funds to deal with the serious and violent offenders like they always find the money for prisons. Unfortunately, they will not find the funds to provide critically needed prevention and early intervention services. Without the federal assistance for prevention and early intervention programs, we will lose additional generations of children to violence. The cost is simply too great. Again, we can pay now or pay later. Unfortunately, if we fail to pay now for prevention and early intervention services, we will pay later and pay significantly more to incarcerate violent offenders. The federal government must continue to support prevention and early intervention as an investment in children and in our future.

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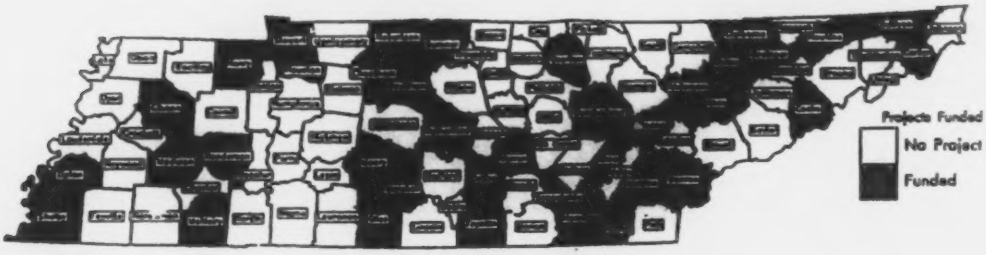
Counties with JJDP Act Projects Funded Since the 1992 Reauthorization



County	Amount In Dollars
Anderson @	$29,539
Bedford	0
Benton	0
Bledsoe	0
Blount	0
Bradley	33,000
Campbell	0
Cannon	0
Carroll	0
Carter	21,273
Cheatham @	62,467
Chester	0
Claiborne @	29,798
Clay	0
Cocke	23,140
Coffee	23,917
Crockett	0
Cumberland	29,437
Davidson @	415,330
Decatur	0
DeKalb	0
Dickson	0
Dyer	0
Fayette	0
Fentress	0
Franklin #	44,200
Gibson	43,750
Giles	35,000
Grainger	35,530
Greene	0
Grundy	0
Hamblen	0
Hamilton @	171,750

County	Amount In Dollars
Hancock	$0
Hardeman	0
Hardin	0
Hawkins	36,000
Haywood	0
Henderson	15,000
Henry	25,000
Hickman	0
Houston	14,320
Humphreys	0
Jackson	0
Jefferson	0
Johnson	0
Knox	52,500
Lake	0
Lauderdale	0
Lawrence	0
Lewis	0
Lincoln	0
Loudon	0
McMinn	20,000
McNairy @	45,497
Macon	0
Madison *	96,000
Marion	0
Marshall	33,425
Maury @	60,750
Meigs	0
Monroe	36,000
Montgomery	0
Moore	0
Morgan	0
Obion	0

County	Amount In Dollars
Overton	$20,000
Perry	0
Pickett	0
Polk	0
Putnam	0
Rhea	46,724
Roane	41,775
Robertson	36,000
Rutherford	33,000
Scott	0
Sequatchie	20,000
Sevier	0
Shelby @	255,984
Smith	0
Stewart	22,301
Sullivan @	48,888
Sumner	33,000
Tipton @	123,000
Trousdale	0
Unicoi	0
Union	33,638
Van Buren	0
Warren	26,761
Washington	0
Wayne	0
Weakley	0
White	0
Williamson	0
Wilson	0
Statewide Grants	844,392

Tennessee	$3,018,086

@ - County received more than one formula grant
* - County received Title V and formula grant
# - County received Title V grant only

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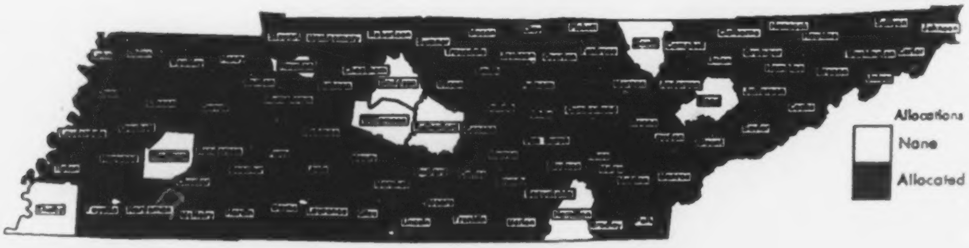
Reimbursement Account Allocations By County Since the 1992 Reauthorization of the JJDP Act

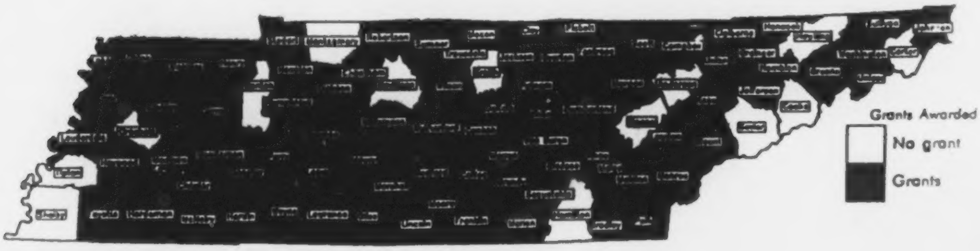


County	Amount In Dollars
Anderson	$21,678
Bedford	14,423
Benton	2,579
Bledsoe	1,035
Blount	26,898
Bradley	900
Campbell	900
Cannon	1,667
Carroll	1,080
Carter	18,338
Cheatham	1,475
Chester	1,300
Claiborne	9,223
Clay	600
Cocke	15,223
Coffee	5,520
Crockett	5,452
Cumberland	900
Davidson	0
Decatur	300
DeKalb	600
Dickson	13,478
Dyer	1,249
Fayette	5,922
Fentress	900
Franklin	900
Gibson	5,510
Giles	2,106
Grainger	900
Greene	11,478
Grundy	900
Hamblen	28,498
Hamilton	0

County	Amount In Dollars
Hancock	$1,581
Hardeman	1,000
Hardin	4,003
Hawkins	24,898
Haywood	1,244
Henderson	3,792
Henry	8,792
Hickman	300
Houston	0
Humphreys	1,775
Jackson	900
Jefferson	10,365
Johnson	10,318
Knox	0
Lake	1,300
Lauderdale	$2,557
Lawrence	1,300
Lewis	2,005
Lincoln	900
Loudon	8,318
McMinn	12,552
McNairy	2,214
Macon	1,135
Madison	0
Marion	17,223
Marshall	1,995
Maury	6,258
Meigs	300
Monroe	1,125
Montgomery	9,138
Moore	900
Morgan	900
Obion	900

County	Amount In Dollars
Overton	$1,925
Perry	1,756
Pickett	1,832
Polk	4,003
Putnam	18,041
Rhea	600
Roane	9,823
Robertson	4,853
Rutherford	0
Scott	0
Sequatchie	900
Sevier	8,283
Shelby	0
Smith	1,085
Stewart	900
Sullivan @	48,000
Sumner	600
Tipton	600
Trousdale	2,094
Unicoi	1,652
Union	1,111
Van Buren	1,035
Warren	300
Washington@	48,000
Wayne	1,600
Weakley	900
White	1,877
Williamson	0
Wilson	300
Tennessee	$503,990

Juvenile Court Computer Grant Funds Awarded by TCCY



County	Amount In Dollars
Anderson	$0
Bedford	2,500
Benton	0
Bledsoe	2,490
Blount	2,000
Bradley	1,648
Campbell	2,000
Cannon	2,500
Carroll	2,500
Carter	0
Cheatham	2,500
Chester *	3,272
Claiborne	2,500
Clay	2,500
Cocke	0
Coffee	2,500
Crockett	0
Cumberland	2,440
Davidson	0
Decatur	2,500
DeKalb	2,000
Dickson	2,000
Dyer	2,000
Fayette	2,000
Fentress	2,500
Franklin	2,000
Gibson	2,500
Giles	2,000
Grainger	2,000
Greene	2,500
Grundy	2,500
Hamblen	2,500
Hamilton	0

County	Amount In Dollars
Hancock	$2,000
Hardeman	2,500
Hardin	2,000
Hawkins	0
Haywood	2,000
Henderson	2,500
Henry *	4,960
Hickman	2,500
Houston	2,500
Humphreys	2,000
Jackson	2,000
Jefferson	2,500
Johnson	2,000
Knox	1,359
Lake	2,000
Lauderdale	2,500
Lawrence	2,000
Lewis	2,500
Lincoln	2,500
Loudon	2,000
McMinn	2,500
McNairy	2,474
Macon	2,000
Madison	2,500
Marion *	5,000
Marshall	2,500
Maury	2,500
Meigs	2,500
Monroe	2,500
Montgomery	0
Moore	2,000
Morgan	2,000
Obion	2,293

County	Amount In Dollars
Overton	$2,491
Perry	2,000
Pickett	2,000
Polk	2,500
Putnam	2,500
Rhea	2,500
Roane	0
Robertson	2,500
Rutherford	2,500
Scott	2,000
Sequatchie	2,490
Sevier	0
Shelby	0
Smith	0
Stewart	2,500
Sullivan @	11,235
Sumner	500
Tipton	0
Trousdale	2,000
Unicoi	2,000
Union	2,500
Van Buren	630
Warren	2,000
Washington@	7,500
Wayne	2,500
Weakley	2,445
White	2,500
Williamson	2,500
Wilson	2,500

Tennessee	$202,227

* - County received more than one computer grant

@ - County has more than one juvenile court and each receved at least one computer grant

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Summary of All JJDP Act Programs Funded Since the 1992 Reauthorization

Grants
Grants

County	Grants			
	Comp	FFG	RA	T 5
Anderson		x	x	
Bedford	x		x	
Benton			x	
Bledsoe	x		x	
Blount	x		x	
Bradley	x	x	x	
Campbell	x		x	
Cannon	x		x	
Carroll	x		x	
Carter		x	x	
Cheatham	x	x	x	
Chester	x		x	
Claiborne	x	x	x	
Clay	x		x	
Cocke		x	x	
Coffee	x	x	x	
Crockett			x	
Cumberland	x	x	x	
Davidson		x		x
Decatur	x		x	
DeKalb	x		x	
Dickson	x		x	
Dyer	x		x	
Fayette	x		x	
Fentress	x		x	
Franklin	x		x	x
Gibson	x	x	x	
Giles	x	x	x	
Grainger	x		x	
Greene	x	x	x	
Grundy	x	x	x	
Hamblen	x		x	
Hamilton		x		x
Hancock	x		x	
Hardeman	x		x	
Hardin	x		x	
Hawkins		x	x	
Haywood	x		x	
Henderson	x	x	x	
Henry	x	x	x	
Hickman	x		x	
Houston	x	x		
Humphreys	x		x	
Jackson	x		x	
Jefferson	x		x	
Johnson	x		x	
Knox	x	x		
Lake	x		x	
Lauderdale	x		x	
Lawrence	x		x	
Lewis	x		x	
Lincoln	x		x	
Loudon	x		x	
McMinn	x	x	x	
McNairy	x	x	x	
Macon	x		x	
Madison	x	x		x
Marion	x		x	
Marshall	x	x	x	
Maury	x	x	x	
Meigs	x		x	
Monroe	x	x	x	
Montgomery			x	
Moore	x		x	
Morgan	x		x	
Obion	x		x	
Overton	x	x	x	
Perry	x		x	
Pickett	x		x	
Polk	x		x	
Putnam	x		x	
Rhea	x	x	x	
Roane			x	
Robertson	x	x	x	
Rutherford	x	x		
Scott	x			
Sequatchie	x	x	x	
Sevier			x	
Shelby		x		
Smith			x	
Stewart	x	x	x	
Sullivan	x	x	x	
Sumner	x	x	x	
Tipton		x	x	
Trousdale	x		x	
Unicoi	x		x	
Union	x	x	x	
Van Buren	x		x	
Warren	x	x	x	
Washington	x		x	
Wayne	x		x	
Weakley	x		x	
White	x		x	
Williamson	x			
Wilson	x		x	

Notes: Comp - Computer Grant
FFG - Federal Formula Grant
R.A. - Reimbursement Account
T 5 - Title V Grant

Senator THOMPSON. Thank you very much, Ms. O'Neal.

I would like to ask you some questions, because it does seem like the focus is on title V. That's the most of the Federal prevention money I guess you might say, title V?

Ms. O'NEAL. Actually, title V provides Tennessee with a little under $250,000 and Federal funding under the Juvenile Justice Act provides about 3.5 times that. So title V is the newest and the smallest piece of funding. It is the only part in Federal funding that has the requirement that individual communities must be in compliance with the mandates in order to receive title V funding.

The other Federal program funds can go to any community as long as the State is in compliance and Tennessee has been in compliance.

Senator THOMPSON. What kind of compliance is required by the State in the form of the grants?

Ms. O'NEAL. The Federal form of the grants, let me comment on that in a couple of ways. One is it was mentioned earlier about the planning center. That's actually something that we began doing in Tennessee, because it was something that it seemed to make it easier for applicants to apply. It's not that it's really all that complicated, and as he said there certainly much less complicated than perhaps some other types of funding, whether it's governmental or foundation funding.

But we began doing these so that people can come together and hear what type of programs we would fund and learn what the process was. And this is particularly important for folks in rural communities, for folks in smaller nonprofit agencies, because if you don't do this and take it to the people so they know what they need to do to get money, then there's a significant advantage for the folks who have strict professional grant writers.

This way, it better enables us to ensure that the funding is distributed broadly and really distributed based on need all across the State.

And as you know from the testimony you've had, there are maps that show how the funds are distributed across Tennessee, and since the JJDP Act was class authorized in 1992, every county in the State has benefited from those fundings. Many times they are small grants as you mentioned earlier, but small grants make a tremendous amount of difference especially in local and small rural communities.

And they also make a difference a lot of times to profit and nonprofit agencies that are able to use this as seed money, and that's what this may be used for, to demonstrate the effectiveness of programs and then to be able to key those programs with other choices of programs.

Senator THOMPSON. Now you mentioned like $30,000 or $40,000. Some of them are like $2,000 for technical assistance or maybe a computer.

Ms. O'NEAL. Computers would be less than that, but the computerization in juvenile court has made an incredible difference. It's impossible for courts to maintain adequate records, and it's really hard for them to even process the orders, the petitions, all the legal papers that they handle if they don't have access to computers. And then most of them do not have—you, me, have had computers, the county already has computers or we bought them so that every county in the State except one has been able to buy computers. And we actually approved funding for that county, and because of some local squabbling over things, they decided not to invest in it.

Senator THOMPSON. So what you're saying is that the formula grant money is much more in total than the title V is?

Ms. O'NEAL. The much larger piece of the funding is title V.

Senator THOMPSON. How would you describe the formula grants? What are they designed for? Is that all prevention money?

Ms. O'NEAL. We get the formula grants early in Tennessee in previous years to develop some of the resources, like the group home and other facilities. And as we become chronic to the Federal Juvenile Justice Act, we use them mainly to help counties pay for alternatives to jails. And those are just very small grants to a lot of counties, to help them pay for detention and other kinds of services, that they're using temporary holding resources from emergency shelter cases.

The Federal formula grants are used in a variety of ways in Tennessee. We still use them for capacity building in juvenile courts, where we award funds to primarily rural juvenile courts and they're able to hire additional staff to demonstrate to their community the effectiveness of having more staff and how they can make more difference in their community over the 3 years that the grants are handed out. And then, virtually without exception, local counties have continued that funding because they see the value of it.

The majority of the rest of our funding goes to either private agencies, school boards, groups like that that really work on a whole range of different kinds of programs, depending on their local needs. Some of them have been mentoring programs. Some of them have been programs like Mr. Dillon talked about that really focus on children and schools. Some of them have included victims offender reconciliation programs. It's been a really wide variety, depending on what people at the local level feel like is necessary.

Senator THOMPSON. Is this kind of grant that Big Buddies receive, do you know, the formula grant?

Ms. O'NEAL. Big Buddies receive formula grants. The Family Together with Children in School was formula-grant funded. The funds for the juvenile courts are formula grant. Actually, title V funds are funds that we have awarded as larger blocks. Right now, we have four grants in Tennessee, two in Irvin County and in Dennison County and in Hamilton County, one in Madison County in rural west Tennessee and one in Franklin County in southwest Tennessee. The three larger counties get $60,000 each. Franklin County receives $44,000.

And these are projects that were developed at the local level. One of the requirements that I think is good from the Federal Government requires people to come together locally and really focus on what are the risks and what are the issues in this community that cause delinquency prevention and other kinds of problems, and come up with local solutions to those problems.

So all of the groups are doing different things, but they're doing what meets the needs in their communities. It's really my understanding that if they began to pull together, the funding for the

Governor's prevention initiative, when they looked around to see who was doing some of the kinds of things in Tennessee that they were interested in, it was the Title V projects that really had the model and required local planning and local collaborative efforts to identify risks and to try to address those risks.

And while they're talking about teen pregnancy funding or alcohol and drug funding, we were focused on delinquency prevention. But what we know is that the same kind of effort that prevents delinquency also helps prevent teen pregnancy, also helps to prevent substance abuse, school drop out, many of the negative consequences that we would all like to avoid.

Senator THOMPSON. Well, it is certainly good to require local involvement, of course. But you would think there was local involvement and local interest to even make the grant. One of the requirements is that they are going to set up a local prevention policy board, it must consist of between 15 and 21 members of the community. Then it must include at a minimum one member under 21, one parent or guardian with children who does have contact or at risk of having contact with the juvenile justice system. I do not know you would have at risk without having contact with the juvenile system, but one representative each from juvenile court, education, the clergy, chamber of commerce, as well as one from mental health, child welfare, child protective services, youth development. The overall membership must report the racial, ethnic, and cultural composition of them.

So, you know, I do not know whether this is a good or a bad thing, but they are requiring you very specifically to set up a particular kind of organization and board to handle all of this. And then they make you identify your need and the provisions for the recreation services, tutoring, work skills, alcohol abuse, and leadership training, and all of that.

As I understand you to say, this is the basis for title V, but the formula grants do not have that specificity as long as the State complies? What kind of compliance is required by the State?

Ms. O'NEAL. What is required by the State is that we do achieve—the institutionalization of status offenders. And then these children are very troubled. If they're not serious and violent offenders, then there are ways to deal with them, short of incarceration.

And if incarceration is necessary, that is possible with valid court order exception. And we also must maintain compliance of removal of children from adult jails. And, again, we've been very successful in that. I don't think you would see a lot of people in the State talking about why you put kids in jail with adults where what they may learn in the finer points of criminality. That's been very successful.

Senator THOMPSON. Those are the mandates basically under the Juvenile Justice Act.

Ms. O'NEAL. That's correct, and that is what the formula grant funds are for.

Senator THOMPSON. That is required under title V and the formula grants, right?

Ms. O'NEAL. That is right. The title V is the only piece that says the individual tell you of these requirements. So all counties in

Tennessee are eligible for federal formula grants because the State as a whole is in compliance.

Senator THOMPSON. I see. I see. All right. Do you think that block grants would actually drive administrative costs up?

Ms. O'NEAL. I think it is possible.

Senator THOMPSON. That is somewhat surprising, I think. How do you think that would work?

Ms. O'NEAL. Well, I think that the correlation, that is that my concern that if block grants are administered through the large—departments, and some of the things we have seen in other States of the JJDP Act funds, the needs of that department start to try to use the funds, rather than to meet with the community as the funds are distributed in Tennessee.

Senator THOMPSON. Of course, you might not be included in administrative costs according to Mr. Leach here and people are having to fill out these obligations. I notice in here, too, part of Ms. Menke's testimony—I notice she is not here—I do not know if you have seen this, but there is a chart here that says, "counties shaded in gray are ineligible to receive 1995 title V funds because they are not in compliance with the indicated mandate, as the last monitoring report submitted to the Federal Office of Juvenile Justice and Delinquency Prevention."

And I guess there's a code here for the type of violation. They've got several counties here, Dixon County, Hamilton County, Knox County. They're not all rural counties. Shelby County, Williamson County, all of them have been kicked off the approved list apparently. Are you familiar with this generally?

I'm sure each individual situation is different, but there appears to be 5, 10, or 12 counties here that have received some funding and now cannot receive any more. Do you know where they are running afoul of the rule?

Ms. O'NEAL. Yes, sir, I do. The problem that all of these counties have is the primary problem for all the inner cities, excessive numbers of status offenders who have been institutionalized in violation of the requirements of the Juvenile Justice Act.

Senator THOMPSON. Uh-huh. Does this get back to the problem that Mr. Phyfer was talking about in the predisposition situation. You bring these juveniles in and before you take them to court you have to put them together with adults for a while and you can only keep them there a certain amount of time, or is this a broader problem?

Mr. PHYFER. Excuse me. Senator, I was not saying that you should put adults and juveniles together. I say that you can colocate them in the same facility.

Senator Thompson. I understand that. We have got another problem. It seems to me like in some of these counties maybe they have a choice between putting them together for a period of time. I don't know what the rules allow. Or just turning them loose. That would keep you in compliance.

Ms. O'NEAL. I think part of the problem is and part of the reason we do not have places sometimes for serious and violent offenders is because we have got truants in detention centers.

Mr. PHYFER. And I would agree with that.

Senator THOMPSON. Truants in the detention centers?

Mr. PHYFER. Yes.

Senator THOMPSON. And——

Ms. O'NEAL. Children who have not committed any offense except being——

Senator THOMPSON. Which is another violation, whether they're——

Ms. O'NEAL. That is a violation.

Senator THOMPSON [continuing]. Comingled or not.

Ms. O'NEAL. The violation is not the comingling. It's the fact that they are there for long periods of time. But the Juvenile Justice Act does permit their detention for up to 24 hours and longer if it's over weekends. And if they violate the court order, then they can be held for an indefinite period of time.

Senator THOMPSON. Mr. Dillon, you were shaking your head. Is that your experience also?

Mr. DILLON. Yes. The other part of that is that I've seen judges put children and juveniles in custody and in order for them to be— And then they put them in detention for a month or two or a couple of weeks. And then they wind up in a residential treatment facility.

Senator THOMPSON. Ms. O'Neal, just one other brief area as far as the State requirements are concerned. I believe you said that you saw the Federal role more as an informational and technical support to communities to make decisions as to what is best done in these prevention programs, either with regard to the title V or the title IV for that matter, or the other grants. Do you see any better way that it can be handled?

It seems like there are an awful lot of Federal programs up there, bits and pieces of money, that at the State level you have to come in and identify, find out how you qualify for what. Then you have to deal with some have strict requirements on the counties and some don't, some you deal with Social Security Administration, some you deal with the Justice Department, some you deal with Health and Human Services, I guess. And then you bring it down here to the State level, and you've got the health department, you've got the education department, and goodness knows what else. What can we do to improve that situation?

People on the State payroll are going to be there anyway, but they can utilize their time better if they didn't have to spend so much time in trying to help Mr. Leach, not to mention Mr. Leach's time in trying to walk through this maze to really get relatively little amount of money? Do you have any suggestions, or am I overblowing the problem? Is it really not a problem?

Ms. O'NEAL. Well, first of all, I'd like to say I do support the mandates of the Juvenile Justice Act, because I think they have provided the framework for more appropriate treatment for children. I think that in terms of the issues around title V that if there were not the requirement for individual counties to apply, but only for the States, then that would eliminate that issue in terms of title V. I think that, yes, it is difficult sometimes at the State level to collaborate, but the efforts we're making with the Governor's prevention issue show that it can be done. I think that sometimes you have the State issues at the State level where different departments or even divisions in departments are handling funding different and create their own bureaucratic issues of conflict. I think that one of the things you mentioned earlier was to consolidate some of the funding into just a few funding stream. I think if you do that, you need to be real careful that in continuing to allow states the kind of flexibility that we have with the JJDP Act to fund a wide variety of programs in urban and rural communities that are the result of local decisionmaking and local consideration of what would be best to meet their needs rather than a preconceived notion of what ought to go with the specific funding stream. I mean, we've had a fair amount of flexibility and we have used that very creatively and very effectively in this State.

Senator THOMPSON. All right. Tell me, what is the role of the commission?

Ms. O'NEAL. The Commission on Children and Youth?

Senator THOMPSON. Yes, as such.

Ms. O'NEAL. The Tennessee Commission on Children and Youth is an independent State agency for the primary admission of advocacy on behalf of children and families. We have 21 commission members who are appointed by the Governor of the State for a 3-year term, and they serve as a policy body for the agency. We also administer the Federal Juvenile Justice and Delinquency Prevention Act fund. We administer some of the State funds for the Juvenile Justice program. We are the agency in Tennessee that has Casey Foundation funding for Kids Town. We do an annual State child—children. We've been involved in the evaluating and delivery of services to children in State custody, and we actually conducted samples, using randomly selected children who are in State custody.

And as a result of that process, we know a lot about children in State custody, and there are many children there who could be dealt with in communities if there were more of the prevention and early intervention resources available. Representative Frank Duff was not able to be here today, but his testimony included data from the study of children who were in the institutions as a part of youth development, and that study indicated that 28 percent of the kids in institutions were low to very low risk. There are a lot of children like that in State custody. If we could move them into more community service, more family service, more community-based services, we could better free up the resources in the institutions to serve the children who are really serious and violent offenders and who need to be there.

Senator THOMPSON. Thank you very much. I want to talk for just a minute about what Mr. Leach and what Mr. Ballard are doing, because this may be the most important thing going on in this area right now. We spend an awful lot of time and rightly so in passing laws and deciding how to fund them, to what extent, and all that. Ultimately, what's going on in these basically private efforts? And once they get started and prove themselves, I think it makes it a whole lot easier to sell some Federal assistance than in creating some new kind of program out of whole cloth and hoping somebody will come along that knows how to make something out of it. But from all I have learned about the problem, all day yesterday, we had people from the inner city, we had public officials, we had juvenile criminals and the one thing that consistently comes through is the family environment and the single-parent family, and frankly the lack of the male influence with these young males because they get to a point where they cannot be handled.

And so, I first of all want to commend you for what you're doing. I have long thought that one of the best things we could do was some way encourage and hopefully save them. I've known Charles Leach just about all my life, and he's told me things today about his program that I was not aware of. He's got over 100 young people waiting for somebody to come along, and I'll bet there are a lot of people out there looking for some way to help, some way to contribute, who are really not aware of that. And if they knew how to hook up, that they would participate. Hopefully, this will be of some assistance.

Mr. Ballard, let me ask you, as far as the fathers are concerned, what do you actually do to get those fathers involved and to start carrying out their responsibilities? How do you find them? Do you find them, or do they come to you looking for help? And what do you do? It looks to me like by the time a father has abandoned his responsibilities and he's off on his own and maybe in trouble or got a drug problem or whatever, you know, it would be extremely difficult for somebody to waltz in some day and say, "You know, you really ought to be a better father." And he says, "OK. Well, where do I go?" What do you do? How do you get this to work?

Mr. BALLARD. Initially, we go to the basketball courts and we raise questions about their fathers and how they feel about their fathers who are not there. In many cases, a lot of anger, a lot of woundedness, a lot of pain around that, and it is expressed in drug use. It is expressed in drug sales. It is expressed in violence, use of cigarettes and alcohol and their life, school failure. We only use people who can be good role models, fathers who care for their children, fathers who were married, who established paternity, fathers who are hard workers, fathers who have a good life style. So we model for these young men and older men, I should say, how to be a good father, how to clothe their children, how to love them, how to read to them. We spend about 20 hours a month in each father's home so it's a home-based, very intensive program. We believe that the answer lies close to the problem.

Senator THOMPSON. So you have a lot of volunteers?

Mr. BALLARD. Volunteers and case workers. We got into the community. And we don't use anyone from outside the community. I go back to the third, fourth, and fifth when I grew up before integration. And we didn't have these problems because the doctors, the lawyers, the role models were in the community, older women, young women, ensure that their children had day care, and we didn't have Federal day care in that day. We didn't have any kind of child care and yet kids. So we try to work and instill this into the community. So if the community can begin to take care of itself, we believe that—but there are problems the people themselves without intervention know what the answers are. So he goes to them and really draws what they think are the answers to the problem, and we support those answers on a daily, weekly, month-to-month basis. And they all establish paternity. They give up gang membership. They stop using drugs.

Senator THOMPSON. Let's take it a little more. You go to a place and see a young man there, become acquainted with him, and understand that his father is not living in the home, maybe he's on the other side of town.

Mr. BALLARD. Or he could be dead for that matter or in prison.

Senator THOMPSON. Could be. But you can't help that. But do you go to that father, then? Do you approach that father and just approach it cold like that?

Mr. BALLARD. Well, the problem is in the man's mind. If you think a certain way, you're going to act a certain way. So if I'm going to change how you act, I've got to change how you think. And it really—we call it conductive counseling, which says that the answer lies with the person.

Senator THOMPSON. But you go to him and ask——

Mr. BALLARD. Go to him.

Senator THOMPSON [continuing]. Him to let you work with him?

Mr. BALLARD. Well, first of all, we indicate that someone has told us, maybe a judge, maybe a neighbor, or a friend that he was a father, and we would like to know what kind of father does this child need for the next 15 years? And he tells us what kind of father, that's always been there and reading to him. The thing that he thinks that the child needs. Then he says, "You know, talk to us about your father." And so we spend about an hour and a half, 2 hours talking about his pain and hurt, about his absent father, and the hatred. Then we have to resolve those issues by a father, and once we do that, that becomes the foundation.

I'd like to say this. The thing that really disturbs me about Government is that they tend to pull the babies out of the water after they're brought in. And I think we need to go upstream and find out who is it that is throwing these children into the water. And you'll find that they are the parents. Sometimes the parents don't know any better. They're single parents with 2 or 3 kids, father's in prison. But we have to stop there. I think that's really the point that troubles me that by the year 2050 if the incarceration rate continues, 1 out of 2 Tennesseans will be behind bars.

Now, I plan to be here, but a year from now, I don't want to be here if those facts are going to be true. But my kids are going to be here and I want to be sure that our children and my grandchildren are going to be safe. And so the best way to do that is to go and find these fathers and reconnect them with their children.

I'm not sure what the magic is, but what I do know is out of 3,000 fathers we've worked with over the past 15 years, the transformation when you begin to model, when a father sees the answer, not hears it. I think there's a lot of preaching going on, but when a father sees the answer and sees that it is consistent and when he sees it in church, not on the streets, in bars, he begins to model after it.

And my experience has been they establish paternity, they get married, and their children become model citizens. So by having the father being with their children, we can transform them. Now, we come to another place. Two square mile area. We're going to work every home in that community until we find where every father is and create in each home a sense of responsibility of fathers.

I have a person with me here. She lives in Nashville. She and her husband are going to be running the program. We only hire married couples to run our programs. Now, the reason for that is because in 1950, in my community, only 9 percent of the homes didn't have a mother or a father. And we didn't have these conferences. It seems like we're delivering babies to single moms. That's where the problem lies.

So last year I think two-thirds of the babies that were born in my community came from single mothers. In many cases, second and third babies. But the father is allowed to walk off. But the child wants to be nurtured. It wants to be held, to be loved by their dad.

Senator THOMPSON. Nothing can make up for the lack of a father.

Mr. BALLARD. By coming to a community, I walk the streets. I talk to people. I talk to judges. I talk to preachers, ministers. And I find from them who in this community I need to talk to about being a good father. And of course, these are volunteers.

She went out on the streets, she and her husband, and she talks to people in the community. They go door to door, doing a survey to find individuals who want to make a difference. And I believe as we do that we can see parts of them actually transformed and become a safe place for mothers and children.

I have discovered, Senator, that fathers who are disconnected from families are at high risk to alcoholism, drug addiction, joblessness, incarceration. The list is endless. In fact, last night, in this country, one out of three African males was in direct—he's in prison, on probation, on parole. We've got to keep on bringing them in. If we get those fathers connected with those homes and those families, and those fathers begin to love those children and respect those women, we will see crime go down, we'll see violence go down, we'll see incarceration go down, and a brighter future for our children.

Children are afraid of the future, because there are no fathers. They want families, and will work hard to bring that about.

Senator THOMPSON. Well, more power to you, Mr. Ballard, and anything we can do to help, just stay in touch with us on that. You mentioned pulling babies out after they are already in the water. I had someone recently deal with this problem, felt like he was running a very expensive ambulance service at the foot of a cliff.

Mr. BALLARD. Same thing.

Senator THOMPSON. Same principle involved. Mr. Leach, I know you have some thoughts as you've sat here and listened to this and relating it to what you're doing at Big Buddies.

Mr. LEACH. Well, I had a lot of thoughts. It's a complex problem, as you know. And reinventing the family is the answer, but I don't know how to do that.

And certainly money helps, but it takes a lot more than money, and I don't know how to do that. I keep wondering about social engineering through taxing and taking the money to Washington and running it through a level of bureaucrats, giving it back. I wonder how much of a dollar we actually get back. Half of it? A fourth of it? And I wonder why we do that sometimes.

When you and I were young, if the neighbor's barn burned down, we went in and fixed it. And I think there's innate goodness in people that that concept still works today. So maybe if you guys didn't take so much money, maybe there would be more money to give to charities like mine and we'd work a little better.

But you take a dollar, you give it to one of your agencies, who sends it to one of our agencies, who gives it to me, and you've got one level of bureaucrats overseeing another level of bureaucrats and that's got to be inefficient. And I wonder about that, too.

So, yeah, I have lots of thoughts and opinions about it, but I don't know the answer to the problem.

Senator THOMPSON. A lot of us are wondering the same thing, and we're going to try to address some of the problems. In fact, there are a lot of innovative thoughts about things going on right now that are good, about things that are on the table, some in the form of legislation that would encourage more of the private sector.

Unfortunately, we use the Tax Code for everything now, and that's a whole different problem. I think we ought to quit that and start all over. But there's a possibility, as long as we keep the same old system, of using the Tax Codes to encourage that. Charitable contributions are very much a part of that. It seems like the more you study these problems, the more they all fit together.

As long as we have growth in the country, and government is not taking an inordinate amount out of people's paychecks, then you're going to have substantial support and help from the private sector people. They are willing to give, I think, if they've got the wherewithal to give.

The problem is that wages have been stagnating in this country for some time. Wages of young people have actually gone down in real terms. Taxing by the State, local, and Federal tax hikes has increased. Even if you cut the income tax rates, the FICA taxes, the others are still going on as far as working people are concerned.

So it's an overall economic problem that is much a part of it. But if we can't do something to stop the avalanche of youthful crime and violence and drug use, it's not going to make any difference if we balance the budget or not, for example.

Mr. LEACH. Well, you need to attack it from every different side, all the way around the compass. We try to get the young and bond with the real young as intervention and prevention sort of thing.

Senator THOMPSON. What age children——

Mr. LEACH. We think before 6 they're developmentally too young to have as much of an impact on. We like to get them in the 6- to 10-year-olds. And if they're past 12, it's too late. So 6, 7, 8, 9, and 10, is the ideal age to make a match.

Senator THOMPSON. See, that's another problem because part of what we're dealing with here is these youth programs. If we're trying to change the kids around at 15, 16 years of age, from what you're saying, you think past the age of 12, we might can help, but we're not going to change them. Is that what you're saying?

Mr. LEACH. Oh, you can change a few, but the percentage goes way down. You've lost them. They don't think they need help. They get arrogant. They get smart. And they don't reach down and accept and receive. They're not in receiving mode like the young ones are.

Senator THOMPSON. Mr. Dillon, do you have any opinion about that?

Mr. DILLON. Yes, sir; I agree with him. You know, I work partly with adolescents. I feel like we do a good job. We do reach a lot of kids. But I agree, you know, that the younger the better. I mean, that's where early intervention comes in.

The question I have is all the kids in State custody in Tennessee, their parents, it seems to me, should have some type of financial responsibility. In the programs that I supervise parents don't even give their kids allowance to go out and buy a pair of socks. And I just wanted to throw that out.

Senator THOMPSON. I appreciate that. In other words, there's no use for the taxpayers footing their bill if the parents have the wherewithal to at least help. And with some parents, having that financial burden potentially hanging over their head might help them to be little bit better parents.

Mr. DILLON. Washington State does.

Senator THOMPSON. Washington State does? Any other State as far as you know?

Mr. DILLON. No, sir.

Senator THOMPSON. Finally, Mr. Phyfer, I think that you were talking about the predetention problem. Do you think that might be an area that the Federal Government might rifle shot and do some good on?

Or do you see anything, that's something that's an area that's lacking, that sticks out to you as you look across this State?

Mr. PHYFER. Yes, sir. I first became involved in it in west Tennessee after I moved back to Nashville and looked at the counties that are outside of Memphis. Memphis was able to provide detention, along with Jackson, TN, up until the last few years. But now they're facilities that are full. I have had members of law enforcement, some judges, say that they're having to travel all the way to Nashville and further to bring young people for a place to stay and then bringing them back for a year to determine if they just need to be detained.

Senator THOMPSON. So it's a lot easier to succumb to temptation of maybe not going to all that trouble, just turning them loose, I would think.

Mr. PHYFER. Well, in some cases, Senator, you can't just look the other way. For example, a lot of places that I have talked to indicate that because detention beds are so scarce they literally have to go down the row and determine which ones they think is least serious to send home so that they will not be overcrowded, or because there is someone who has come in who has committed a very, very serious offense that must be there.

Senator THOMPSON. Thank you very much. We've gone on a little while longer here, but this is extremely helpful and there's some good news along with the bad. And we certainly appreciate what all of you are doing.

We'll call our final panel now, if we may.

We'll start with Judge Wohlford, Juvenile Court Judge of Bristol, TN.

PANEL CONSISTING OF HON. PAUL R. WOHLFORD, JUDGE, JUVENILE COURT, BRISTOL, TN; HON. RANDY CAMP, JUDGE, CROCKETT COUNTY, TN; HON. DAN SPEER, MAYOR, PULASKI, TN; HON. BERNIE SWINEY, MAYOR, LOUDON, TN; AND HON. C. VAN DEACON, JUDGE, JUVENILE COURT, CLEVELAND, TN

STATEMENT OF PAUL R. WOHLFORD

Judge WOHLFORD. Thank you, Senator. I appreciate being asked to be here.

I am starting in my 17th year as a juvenile court judge. I have no other jurisdiction but the juvenile court. I live in Bristol, which is on the Virginia State line and closer to Canada than it is to Memphis in terms of distance.

I'd like to say, if I might, Senator, one thing that you mentioned about the ambulance at the foot of the cliff, that remark was made, as I recall, by Judge David Mitchell, who is the chief judge of the Juvenile Court in Baltimore. I've known Judge Mitchell for a long time.

Senator THOMPSON. I'm glad I didn't claim credit for it.

Judge WOHLFORD. The point he made that he is in a system that he can do nothing to prevent the people coming off the cliff. All he can do is try and pick up the pieces at the bottom. And he's talking about his situation in Baltimore, and I think he was talking about our situation nationally as well.

If I might, I've been on the bench 17 years, and I've never had the opportunity to address a Federal forum about status offenders. So if I might say something about that from my perspective as a judge sitting on the bench and seeing this everyday.

Status offenders should not be incarcerated with other delinquent offenders. We agree with that. What we have is a problem that is frustrating and everyone on this panel will nod their head and agree with, me I believe, is that we have children who are runaways, who we know need treatment, who are juvenile prostitutes, who are headed for delinquency, pregnancy, whatever else. And we cannot keep them long enough in treatment.

Now, the JJDP Act does provide a valid court order. But the valid court order as recorded now says that if you are going to incarcerate a status offender under that order, you have to have your decision reviewed by some other agency. Now, my experience with the law is that there are not many judges who are willing to say I made a decision, but I'd like the office of the public defender to review it and see if I did it right. That's not going to happen. So what we're having is kids continuing to run from our facilities, and we can't get a handle on them long enough to do something about it.

We want to do something about it. They're not delinquent kids. They do need help. They do need treatment. But we can't do anything about it. And that's my frustration.

Senator THOMPSON. How does that need to be changed in your opinion?

Judge WOHLFORD. Well, the valid court order, as I remember it being written back in 1981–83 when the first legislation came in about incarceration and being careful about doing that and seeing that it was done, didn't have this oversight provision. I think the minute the Federal law went back to the way it was initially, I think the juvenile court would be able to function without a valid court order and put the kids in secure facilities who need to be there, and the ones who don't need to be there, release them.

The last thing the juvenile court wants to do in this State is put kids in State custody. Now, I'm convinced of that for a variety of reasons. We have problems because of a variety of reasons, bed space. I have had many occasions the last several years in which agency workers have had to sit up all night in their office with kids that I've committed because there's no place to put them.

Now, that's not the way the system is supposed to work. This is where policies and implementation of that through the court occurs. This is where the road meets the road. This is what we need to talk about. We need to be able, first of all, to make some changes in the juvenile court. We need to be able to say that we are not a court that says there's no such thing as a bad boy. There is. We all know that.

We need to be able to say that we need to have enough smart diversion programs to keep the first time offenders from coming back, and take that small minority of violent and serious offenders and get them out of the community and protect the community. That's what we need to do.

We need first of all to open the juvenile court. It needs to be a more public court. Most people think the juvenile court operates in a confidential mode that it doesn't matter what you do, all you're going to get is a slap on the wrist. We need to punish serious offenders. We need to let the press come in and see the adjudicatory hearing in juvenile cases. And we need to continue to train our judges and our juvenile court professionals and our prosecutors to be the best they can be.

And a lot of this is where I consider the maximum funding needs to be. We need to keep the money in training. We need to keep the money for technical assistance. We need to keep the money to keep the statistics low.

The other side of the coin that nobody is talking about is that we have children who are in foster care who are the victims of violence. And when you talk about youth violence, you've got to talk about that, too. That's another part of it, as is domestic violence. You can't leave children to spend their whole life in foster care and you can't have locks on the refrigerator in foster homes, which I've had in my court, 22 foster homes in 18 years, and those sorts of things we've all been on the bench and seen.

It costs Tennessee over $100 million a year in foster care in State and Federal homes. If we can get permanency for those children, either through adoption or return to their homes, we're going to cut our case load, we're going to make a budgetary and monetary effect, and we're going to do the most important thing, and that is secure permanent homes for children. That's the flip side of youth violence. You've got to consider that as another part, and one of the speakers said we've got to attack this from all points of view. I think that's one of the things that we have to attack it from.

We need to keep OJJDP or the Federal money involved to a certain extent. And I don't care, to be perfectly honest, how you do that. I mean that's perfectly OK with me. But I have had the privilege of serving for the last 5 years on the board of trustees of the National Council of Juvenile and Family Court Judges, which has given me a little bit of a national perspective about what's going on. And I have seen policies developed.

And I would like to supplement my testimony if the Senator would permit by my bringing to the attention of the committee the 38 recommendations for the juvenile court for serious offenders, sir.

Senator Thompson. OK.

Judge WOHLFORD. Domestic violence is always how that's done. What's the best tactics for treating abused and neglected children who are out of the home? How do you get them back? How do you achieve this permanency that I'm talking about? All those sort of things come about because of the Federal money.

So the juvenile court has got to recognize and change. There's no question about that. We've still got to keep the Federal presence involved with the courts for all these issues.

Thank you very much.

[The prepared statement of Judge Wohlford follows:]

PREPARED STATEMENT OF PAUL R. WOHLFORD

My name is Paul Wohlford. I am beginning my 17th year as Judge of the Juvenile Court in Bristol, Tennessee. Bristol, Tennessee is a city of approximately 45,000 people situated on the Tennessee-Virginia state line. It is one of the two cities in Sullivan County, Tennessee. Sullivan County has a population of approximately 150,000. Bristol has relatively low unemployment, and its work force is employed in light industrial manufacturing and retail sales. Bristol is a typical small city in the state of Tennessee.

a. Youth violence, however, is no stranger to our area. During my tenure on the bench:

1. I have tried a 13-year old charged with first degree murder and aggravated robbery. After a prolonged foot chase, the young man kicked an adult male in the head causing his death. He then took his wallet in the mistaken belief that money had been taken from his mother.
2. Two years ago, a 15-year old killed his mother and 13-year-old sister by repeatedly shooting them with a shotgun.
3. A 17-year-old young man stabbed a complete stranger in a parking lot for no apparent reason and then tried to stab the victim's pregnant wife.
4. Bristol has a gang called the "Outkasts" that operates in my area. Its members steal to obtain money for the purchase and distribution of drugs. The gang also uses 12–14 year old girls for the purpose of making and distributing pornographic movies.
5. Two months ago, 3 teen-agers deliberately ran over and killed a popular deputy sheriff as he manned a roadblock trying to stop their stolen vehicle.

Every Judge has similar stories from their community. The size of the locality is no barrier to this type of behavior.

However, "children do not invent violence, they model it." This is the conclusion of Judge David Grossman, the President of the National Council of Juvenile and Family Court Judges, and he is correct.

Children model what they see adults do, what they see on TV and in movies, and all of the social ills they see in adults. It is easier for us to blame drugs, poverty, gangs and the kids themselves, than to realize that it is our responsibility as adults to change our attitudes and behavior. It is our responsibility as adults to inculcate appropriate values in our children, a task we have sadly neglected.

If we as adults glorify and support sex and violence in our own entertainment, the use and abuse of alcohol and drugs, a divorce rate that continues to climb, and instant gratification of our every want, why should we expect our children to be different?

Parents have abrogated the responsibility for imprinting and teaching values to their children, to schools, day-care centers, baby-sitters, and, sadly, the juvenile courts, either because this task is too onerous or because they just do not care. The size of the locality is no barrier to this type of behavior. Many parents who have children in the juvenile court are not interested in what their children have done or what disposition: The Court may make of their case.

Juvenile courts deal daily with the seriously delinquent, dependent and neglected children in my community and in yours. The best hope for positive change in young people exists at the juvenile court level. The judges and other juvenile justice professionals who represent the juvenile and family court systems across the country are the finest resources for delivering good practice and future planning.

However, we in the juvenile justice system cannot continue to deal with the youth violence, the abuse of children and other serious problems without help and assistance.

I know there is concern in the Federal Government about juvenile justice. I cannot say strongly enough that I feel that the continued presence of the Federal Government in the support of juvenile justice is vital to the survival of our society. To a large extent, the success or failure of the criminal justice system will depend upon its effectiveness in handling youthful offenders—ensuring that for the vast majority of juvenile offenders their first brush with the law is the last, and ensuring that the small group of chronic hardened youthful offenders are incapacitated for extended periods. If we are to stem the tide of adult prison overcrowding, we must first be successful at the juvenile level.

Juvenile crime, especially violent juvenile crime, is on the increase. Between 1965 and 1989 the arrest rate for juveniles for murder almost tripled, the arrest rate for aggravated assault tripled, and the arrest rate for weapons violations by juveniles increased 2½ times. Indeed, the increase in crimes by juveniles is responsible for a large share of the increase in violent crimes nationwide.

The long-term solution to the problem of juvenile crime falls largely outside of the law enforcement system. It requires strengthening those basic institutions—the family, schools, religious institutions, community groups and the juvenile Court—that are responsible for instilling values and creating law-abiding citizens.

From the law enforcement standpoint, however, we must deal more effectively with two groups of juveniles. The first, larger group, have only one or two brushes with the law and then straigthen out as they mature. The second, smaller group, the hardened chronic offenders, commit the majority of all violent juvenile crimes.

With respect to the first, larger group of juvenile offenders, the juvenile justice system must be better designed to deter them from committing additional crimes. The goal is to prevent juveniles in the group from becoming chronic offenders. Indeed, the success of the criminal justice crime in preventing these juvenile offenders from becoming career criminals is perhaps the single greatest determinant of future levels of criminality. The best way to accomplish this is by imposing tough, smart sanctions that are carefully tailored for the first-time juvenile offender and are designed to instill the values of discipline and responsibility that are necessary to prevent further criminality. The juvenile courts nationwide, with the proper training and continuing education and having a statistical repository and technical assistance available, are most appropriately situated to deal with this difficult task. [1]

States need a range of such sanctions that are designed to instill discipline and responsibility and ensure that the juvenile does not commit further offenses.

B. The training of judges and juvenile justice professionals, the delivery of technical assistance, and the maintenance of archival records and statistics for developing material and state legislation continues to be best performed at the national level.

I have been a member of the National Council of Juvenile and Family Court Judges since 1981 and a member of the Board of Trustees since 1991.

I, and other Tennessee judges, received training in basic judicial administration, evidence, drug affected mothers and children, family violence, medical and legal issues, the successful management of cases involving abused and neglected children and other vital issues. The National Council Juvenile Family Court Judges provided this education through a grant from The Office of Juvenile Justice and Delinquency Prevention.

This training is not limited to judges, but is available to prosecutors, lawyers, court staff and other professionals. This is possible only because of the educational opportunity provided by the money from the Office of the Attorney-General, specifically the Office of Juvenile Justice and Delinquency Prevention.

State budgets do not have or will not provide the money for this type of judicial training and education.

Children who are in a home where domestic violence is present are abused even if the violence is not directed toward them. Furthermore, statistics have shown that these children are more likely to practice such violence themselves. Judges must understand the dynamics of such violence in order to effectively treat the participants involved.

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[1] "Combating Violent Crime: Recommendation to Strengthen Criminal Justice" U.S. Department of Justice. Office of the Attorney General 7/30/92.

"What you live with, you learn." "What you learn, you practice", "What you practice, you become," is a statement never more true than in the arena of family dysfunction and violence.

Judges, prosecutors and other professionals must be educated and trained or the cycle of violence will continue.

C. Nothing has caused more controversy recently in juvenile justice than the debate over whether and when serious youthful offenders should be transferred to the adult criminal court for trial and possible punishment.

Direct filing has been tried in several states and it does not appear to have been successful. Because of the overcrowding in the criminal justice system, many serious young offenders are not held accountable for their acts. However, the public perception is to the contrary. Juvenile courts are perceived to be shrouded in mystery and unable to adequately protect the public from young predators. There is such a thing as a "bad boy" and public safety demands that those offenders be removed from society.

Juvenile justice for violent offenders must have a consistent and rational policy in this area. Juvenile courts should be open to the public in certain cases involving serious offenses. Juvenile courts judges must have the continued discretion to determine which children should be kept in the juvenile court for treatment and rehabilitation and which children should be transferred for adult handling.

A national policy must be developed and implemented to insure this discretion and must come from the Office of the Attorney General. States and localities cannot adequately fund and develop such a policy.

D. However, a picture of youth violence would not be complete with consideration of the violence perpetuated against children, causing them to be placed away from their parental homes in foster care as abused children.

Many children spend their childhood in a succession of foster homes with no permanent home. I have seen children in my Court who have had as many as 22 foster homes and have had more social workers than friends. Most of us have never lived in a home with a lock on the refrigerator, but many of these children have.

Children who remain in foster care for extended periods of time are adrift with no chance of returning home or being adopted, or finding a permanent placement in their lives.

Even though PL 96–272. The Adoption and Child Welfare Assistance Act of 1980 was designed to stop the shame of foster care "drift", its implementation nationally has been sporadic and uneven.

The cost of children in Foster Care is enormous. In 1994, Tennessee had some 9000 children in foster care at a cost of over One Hundred Million Dollars.

If judges uniformly force parents and social service agencies to make "reasonable efforts" to secure permanent homes for children, as mandated by PL 96–272, three beneficial events will occur:

(a) Fewer children will spend their youth in foster care and the quality of their lives will be vastly improved.

(b) The cost of the State and Federal government will be reduced.

(c) The abused and neglect caseload of juvenile courts will decline.

In order to achieve these results, a comprehensive national policy must continue to show the juvenile justice professional and child advocates the ideal or good practice in these kind of cases.

Recently, a committee of the National Council of Juvenile and Family Court Judges, under the auspices of a grant from Office Juvenile Justice and Delinquency Prevention, completed a 2 year task with the development of a manual called "Resource Guidelines Improving Court Practice in Child Abuse and Neglect Case". I was privileged to serve on this Committee.

These guidelines will be taught to courts, social services workers, CASA workers, juvenile court workers and other professionals in each State. The design and implementation of these Guidelines is a perfect example of the presence of the Federal Government in the juvenile justice system, where States and/or local funding could not produce a life result.

E. I would suggest a few strategies to deal with the present problem of youth violence in all our communities.

1. Early childhood intervention directed toward parents, child care providers and health care providers to build knowledge of behavior related to aggression.
2. School based interventions to help schools provide a safe environment and effective programs to prevent violence.
3. Heightened awareness of cultural diversity.

4. Development of the media's potential to be part of the solution, not part of the problem.
5. Reduction of accessibility and involvement of young people with alcohol.
6. Limiting access to firearms by children.
7. Education to reduce prejudice and hostility.
8. Psychological counseling of not only the perpetrators of violence but also victims and witnesses.
9. Judicial intolerance of domestic violence and quick and speedy justice for the guilty.
10. Continued development of providing and implementing permanent homes for children.
11. The continued national training of judges, prosecutors, and other juvenile justice professionals.
12. The continuance of a national policy toward permanent homes for children, safe communities for families, and fair and certain justice for youthful offenders.
13. The continuation of a national statistical repository to develop national policies for juvenile justice.

I sincerely believe that we can curb youthful violence, provide safe communities for everyone and improve the status of all children. I do not, however, believe we can successfully attain these goals without the continuance of the federal commitment to the children in our country.

Senator THOMPSON. Thank you, Judge Wohlford. That's extremely helpful, and I sincerely appreciate it.

Judge Camp, your observations? We've kind of recruited you here at the last minute. We wanted the benefit of your insight, though.

STATEMENT OF RANDY CAMP

Judge CAMP. I appreciate that. I don't have any prepared remarks, and I do appreciate the time to be here. I'm honored to be a part of this distinguished panel. I really am here at whatever you need me here for. If you need me to talk to you about what I do at Crockett Academy, I can tell you about that or whatever.

Senator THOMPSON. I basically want to know what your problems are and what the role of the Federal Government ought to be. You've heard some problems about title IV and that sort of thing. And I know that earlier Judge Wohlford talked on some others. Any insights you have to any of those areas will certainly help out.

Judge CAMP. Well, I was a part-time assistant district attorney and private attorney at one point in my life. And when I was doing D.A. work, I did it in juvenile court. That's all I did. And after I became judge in 1990, I saw the same kids as a judge that I'd seen when I was a private attorney.

Crockett County is a part-time judgeship, I was still practicing law. Ten years down the road, I saw them when they were 8 and I'm seeing them now that they're 18. One thing I got to thinking about is when we send a kid off to a State institution, they did fine when they got there. I had one young man in particular, Bill, he came off the national, grades went well, got along in sports at the institution he was in. He stayed about 6 months, came back home, and 2 months after that he came back to court, same thing. His mother worked at a beer joint on weekends. He would stay at home at night until 3 and 4 in the morning playing Nintendo by himself, whatever else he could get into. After he got a little older, he got into problems.

That's how Crockett Academy came about. We applied for a grant through—when she was in Nashville. I just told her straight out, "I don't care what we do to get the money, how we get the money. This is what I want to accomplish with it. I want to keep kids from going to State custody. I want to keep them home."

One thing I feel is that parents ought to raise kids and not a staff person. And that's the problem I've seen in homes is that parents weren't involved in raising children. Parents did what they wanted to, kids did what they wanted to. Kids ended up getting in trouble. Most of the parents, when the kid got sent off, were eliminated from the burden of having to raise the kid.

We established the academy program, and the way we set it up was if a kid had committed an offense—I'd be with the parents if they had to and give them an option. "You can go into State custody, you can stay home with mama, or you can go to school at Crockett Academy and attend classes you've been attending, but you've got to do it under my rules."

Every one of them we've had that I've given them a choice have chosen to stay at home.

Senator THOMPSON. What about the parents? Do they do anything?

Judge CAMP. Oh, yes. The parents have to agree. They all sign a consent order. I tell them on the front end. Mama and daddy have to sign an order, along with the child and the D.A. and me, saying that they're all going to agree to these rules. The parents have to bring the child to school at 5:30 in the morning. Either one of them—whichever one brings them, they've got to hug mama and kiss her and tell her I love her. Mom's got to do the same. That's part of the court order.

I had one kid tell me that, "My mama never told me in my life that she loved me until you made her do it." That's strange to me, but that happens.

They go through drills for 2 hours. That's where people are like in boot camps. I've had them called concentration camps, day care centers, and everything else. We don't run a boot camp and that part about discipline is, I suppose, where that comes from. I use retired military people. All of them came out of a naval air station where a command master chief runs it for me. I have a Marine drill sergeant and a Navy sergeant. They do that till 7:30 in the morning and shower and go to regular classes and sit in a regular classroom they've always sat in. They come out at 2:30 in the afternoon, go to 2 hours of study hall that two sergeants run, along with teachers who volunteer to come help tutor the kids. They go back for an hour of regimented training that afternoon. At 6:00 they wash and launder their uniforms, 6:30 the parents pick them up, and at 7:00 they have to be home. And sadly——

Senator THOMPSON. This is a program that's in jeopardy right now?

Judge CAMP. Yes, sir. I was told Wednesday that it's going to be no more because it is inappropriate use of title IV funds.

Senator THOMPSON. Thank you very much.

Mayor Speer, you come from my neck of the woods?

Mayor SPEER. Very close to it.

Senator THOMPSON. Mayor of Pulaski, TN. It's a pleasure to have you with us here today.

STATEMENT OF DAN SPEER

Mayor SPEER. Thank you, Senator.

It is an honor to be here today and serve with these distinguished gentlemen. Also, today, I feel like I am representing rural Tennessee. Often we think of youth violence as being an urban problem. Today, I am here to unfortunately express concern that it is not just an urban problem.

Pulaski, TN, population 8,000, and located in southern middle Tennessee 75 miles south of Nashville and 40 miles north of Huntsville. Pulaski is the county seat of Giles County, population 26,000.

Senator THOMPSON. Eighteen miles east of Lawrenceburg.

Mayor SPEER. Although the majority of the jobs in Giles County are based in the manufacturing sector, many residents still depend upon agriculture for their livelihood. We are a rural Tennessee community.

November 15, 1995, was a typical fall day in Giles County, clear and crisp. The students at Richland High School were preparing for another school day, eagerly anticipating the upcoming Thanksgiving holiday break. At approximately 7:50 that morning, a 17-year-old senior entered the school with a .22 caliber rifle and opened fire, killing one teacher, one student, and wounding another teacher.

There are no words that can describe the disbelief, the shock, and the devastation that settled over Giles County that morning, and continues to plague our community. It wasn't supposed to happen here in rural Tennessee, but it did. A student armed with a .22 semiautomatic rifle walked through the side door of the school and opened fire on a hallway full of students and teachers. Seconds later, two teachers and a student laying bleeding in the hallway.

Carolyn Foster, an office occupation teacher at Richland for 17 years, was killed instantly. Fourteen-year-old freshman Diane Collins died later on an operating table at Vanderbilt University Medical Center, and math teacher Carol Yancey was critically wounded, receiving a gunshot wound to the head.

Carolyn Foster, 58, a loving wife, mother, and grandmother, and a friend to many of us in Giles County, became the first teacher in Tennessee murdered in the line of duty. Mr. Dallas Foster accompanied me today, and I would like for him to stand and be recognized.

Senator THOMPSON. Mr. Foster, it's a pleasure to have you with us today, sir.

Mr. FOSTER. Thank you.

Mayor SPEER. Youth violence is seemingly an urban problem, a problem associated with gangs and large cities, a problem associated with drugs, a problem seemingly as foreign to Giles County as any problem could be. Suddenly, it became more than just a rural problem. It became our problem. But not so suddenly.

I know that during this series of hearings, you've probably been overwhelmed by horror stories relating to youth violence, maybe none as shocking as the Richland school story, but all as tragic.

Youth violence is no longer exclusively an urban problem, but it is with a great deal of difficulty I briefly recount events that have occurred in Giles County in 1995.

In March, Shawnda Lee James is charged with shooting to death her 25-year-old aunt with a .22 caliber rifle and kidnaping a 22-month-old son of the alleged murder victim.

In April, an 18-year-old was charged with kidnaping and robbery and attempted first-degree murder, after shooting his victim in the back of the head with a shotgun and leaving him to die on the side of the road.

In May, 15-year-old Omar Bryant is shot once with a .22 caliber pistol by a 17-year-old friend.

In June, Douglas Wayne Stafford is charged with vehicular homicide and violation of the Tennessee Drug Free Youth Act, related to an auto accident that killed 25-year-old Kawanda Shelton and her 6-year-old son, Gary.

Also in June, Tonya Cook, 17, was charged with aggravated assault after stabbing an adult acquaintance three times with a butcher knife.

In July, Jason Barrow, 17, was charged with murder after shooting an adult acquaintance three times at close range with a shotgun.

Also in June, James White, 19, is shot three times with a .32 caliber pistol after an altercation with another 19 year old.

In December, Quinten Bass, 18, is killed when shot in the back of the head with a small caliber handgun by a 21-year-old friend.

If you lost count, that's 7 individuals killed, 4 charges of aggravated murder, and 2 charges of aggravated assault.

We have a problem. It is not a school problem, not a police problem. It's not a city government problem, not a county government problem. It's not a Federal or State problem. It's a community problem. It is our community. We as a community have to try to solve the problem. We as a community must accept responsibility for the problem .

With all respect intended, there is no one in Washington or Nashville that can solve this problem for us, and there is not enough money in Washington or Nashville to solve the problem.

In 1990, we identified two neighborhoods in Pulaski that had degraded to what best could be described as war zones, where drug dealers and violence was a common daily activity. We approached the problem in three areas.

First: We organized resident initiative programs in public housing and the surrounding neighborhoods. And we brought together the residents with officials from Pulaski Housing Authority and the city of Pulaski. Those residents, who once felt abandoned and neglected by the city, now participate in self-government through the associations which provide avenues for hearing and resolving complaints, cultural and social enrichment programs, and explanation of educational opportunities.

Second: We implemented a community policing program, where the city of Pulaski introduced community policemen. The police officers meet with residents, patrol the areas, and generally work on a first-name basis with these individuals.

Third: We organized a boys and girls club in the affected neighborhood. A Boys and Girls Club of America was established in 1991 and charted in 1993. A drug elimination grant was obtained and helped with a structure for this club. The boys and girls club programming in our experience is one of the most effective ways of reaching at risk youth.

This project was one of our three projects that designated Pulaski as an All-American City.

Since 1991, the reported criminal offenses in Pulaski increased by 8 percent citywide. In the Washington Heights project, there was a 24-percent decrease, and in the Victoria Apartments, a 16-percent decrease.

My point is quite clear. The traditional programs that we've talked about today and heard are not working, and we're throwing money at these problems and we're not solving them. Now, if by the year 2050 half the population of this city is going to be in jail, it's pretty evident that something is not working.

We've heard about some very nontraditional program that is working. I'm asking you to empower citizens on the local level and encourage and reinforce them to find these nontraditional methods and work and solve these problems. It is the only way that we as citizens can win in addressing these problems, are we going to solve them.

Thank you very much.

Senator THOMPSON. Mayor, that's the most eloquent, precise statement as to what to do about the problem as I think I've ever heard. And I'm going to take that message back and yell it as loud as I can. I think you're right on the money. I mean, we've got to do what we can at the Federal level. We've got to look at these programs and reshuffle them and some we need to cut here and edit there and the same at the State level. But I get the feeling that we're just messing around the edges of the problem. And, you know, you've come in here and given some concrete examples of what can be done.

It sounds to me like the government can assist you in several specific areas, maybe at certain times. But they can't develop the program, they can't help the initiative, they can't give you the commitments to carry them out. You've done that for yourselves.

That's why Pulaski has received the attention that it has in solving so many of these problems. We're all asking ourselves, you know, how could we have gone so wrong in such a short period of time? And I live 18 miles down the road there, and you know, drinking beer and getting in a fist fight is the worse that I ever heard of in 8 years of grammar school and 4 years of high school. And now this is happening in our communities all around.

Just one question. I'll ask you one that nobody else has been able to answer, but I'd appreciate your insight from your vantage point. And that is, how did we get to where we are? What are the main factors that we need to address as a nation, whether it's to be solved by government or private entities or in the churches or wherever the solution lies? Where do you think we need to focus to begin to understand and get a handle on this terrible problem?

Mayor SPEER. Senator, if you put 50 people in a room, you're going to get 50 different answers, and I'm going to give you mine.

We have forgotten, or we have lost, the knowledge of how to accept responsibility for ourselves. And when you are able to accept responsibility for yourself, your behavior, and your actions, regardless of how old you are, to me the problem is solved. You accept responsibility, then you begin respecting other people. You respect their differences and their right to be different.

You know, I bring a somewhat unique perspective. I have a masters degree in psychology. I spent 6 years working with youth in mental health. And a lot of that work was done with drug and alcohol, but a great majority of that work was also done psychologically testing and assessing children that were being brought into what at that time was—then they were sent back to juvenile judges to make recommendations. And the one thing that was with everybody that we had, they never could accept responsibility for their behavior. And most of their parents would never accept responsibility for their behavior.

And that's my opinion.

Senator THOMPSON. Thank you very much.

Mayor Swiney.

STATEMENT OF BERNIE R. SWINEY

Mayor SWINEY. Thank you, Senator.

Senator THOMPSON. Mayor of Loudon, TN.

Mayor SWINEY. Rural Tennessee. We're located in the eastern part of the State, about 30 miles south of Knoxville. And today, part of my concern we are a rural county, and our experiences with youth violence is not totally unlike or totally different from all the other small communities throughout the State of Tennessee.

But we are a transition county, in the fact that we are adjacent to Knox County. It is perceived the rate of increase in juvenile crime, particularly what might be termed as violent youth crime, is accelerating. All too frequently, we find juveniles in our area are carrying weapons, carrying the same weapons to school, and they're involved in violent thefts. And something that in Loudon, not totally unheard of, but certainly unique, and that's gang involvement and domestic violence. And that's not particularly the abused person in the domestic violence, but becoming physically involved in domestic violence.

In talking with the juvenile authorities in our area, it became very apparent that there is one common denominator, and that is the deterioration of the family unit. The children do not have the proper guidance and instruction in the home. Those children who do not have that, they do become then the problem children. We've got to develop a system to enable authorities to remove children from hostile situations and violence in homes.

In my own county, the school district there, the Loudon County schools, began a program about 4 years where they tried to identify high risk or children at risk and develop a profile on these young people, then design an educational program particular to their needs as far as time spent actually in school following a co-op situation, holding a job, once again teaching responsibility. And that has significantly reduced our dropout rate in our high schools.

A large percentage of the kids that started that program 4 years ago will receive at least a GED just this year.

We believe on a community basis, and I'm so glad to be sitting here next to Mayor Speer, that we share a lot of the same kind of philosophies. I believe in the agencies. We have to be visible in the communities. So many times enforcement is an after-the-fact occurrence. And that's part of the sad part of it. And I believe in agencies. We try to encourage them to be present in the community and involved in the community on a continuing basis with these young people starting at a very early age. We are dealing with a situation right now, the present generation of young people, that they receive their morals and develop their morals and values from their peers and from television.

When we grew up, we got those same values and morals at home and our churches. That's not the case today. Churches and the homes today compete with the television and with peers. We need to begin to understand that sermonizing about re-instituting family values will not reach today's troubled youth. We must institute programs targeted to accomplish the specific reaching out to the youth and providing guidance and training.

Now, this is a statement I wholeheartedly support and believe in. I endorse the block grant concept. I feel that with the assistance economically, coming back to your local community, your local government, we can tailor the needs, tailor the projects to the needs to each of our communities. And then we can effectively address the problem of youth violence and crime.

Senator, thank you very much.

[The prepared statement of Mayor Swiney follows:]

CITY OF LOUDON
CITY HALL
P.O. BOX 189
LOUDON, TENNESSEE 37774

The Loudon experience vis avie youth crime and violence is not very different from other communities which are similar to Loudon. Loudon is a community of 4,000 - 5,000 in a transition county at the edge of a metropolitan area.

It is perceived the rate of increase in juvenile crime, particularly what might be termed as violent youth crime, is accelerating. All to frequently juveniles are involved in:

1. Carrying weapons
2. Carrying weapons to school
3. Violent theft
4. Gang involvement
5. Domestic violence

In talking with juvenile authorities it is apparent to be the all to frequent common denominator is a deterioration of the family unit. The children who do not have proper guidance and structure in the home become the troubled juveniles and perpetrators of violent youth crime. Systems must be developed to enable authorities to remove children from hostile environments.

School districts must develop alternative programs designed to capture the interest and stimulate the thinking of high risk students. The Loudon County school system instituted such a program 4 years ago for students entering the 9th grade. The program has expanded each year. The program has significantly reduced the drop out rate.

Policing agencies and other authority figures should be involved with the students on a continuing basis at a very early age. Studies show the present generation is more likely to receive its morals and values from peers and television. In the last generation the values were learned from the home and the churches.

If we do not begin to fully understand that sermonizing about re-instituting, family values will not reach today's troubled youth. We must institute programs targeted to accomplish the specific reaching out to the youth and providing guidance and training.

For this reason I endorse the Block grant concept. The Block grant program will enable each community to tailor programs to meet the local objective, and more effectively address this problem.

Respectfully,

Bernie R. Swiney

Bernie R. Swiney, Mayor

BEST COPY AVAILABLE

Senator THOMPSON. Thank you, Mayor.

It's apparent to me that the closer you are to the problem, the better chance you have of doing something about it. And I wish that some of the Federal bureaucrats could be exposed to Mayor Swiney and Mayor Speer here today and listen to your insights and what you're trying to do. Because that's where the problem has got to. The further you get away from it, whether it be Nashville or Washington, the less likely you are to be able to target what the particular problem is there. By the time you fill out application forms and go through all that and way down the road and some person from Washington with three or four degrees and no actual experience makes a decision for you, you're out of luck.

Mayor SWINEY. It's possible to administer a program completely out of its effectiveness.

Senator THOMPSON. And you've seen that happen, I'm sure?

Mayor SWINEY. Oh, yes.

Senator THOMPSON. Judge Deacon, it's good to see you again and perhaps the benefit of your thoughts.

STATEMENT OF C. VAN DEACON, JR.

Judge DEACON. Well, it's a pleasure to be here. I had a little difficulty trying to get into the city with all the snow and the 40 or 50 cars on the sides of the highway.

As you can see from my summary, Senator, I have been a sessions judge, sessions and juvenile court judge since 1990. Basically, before that, I served as prosecuting attorney some 14 years. And then I moved to private practice. As a sessions and juvenile court judge, I also have a private accurate picture. Sitting as chancellor, I have domestic relations. So basically the 10,000 cases I have annually, I guess half of them are directly related to juvenile conduct. Four thousand cases that I have are civil in nature, and they require less than 20 percent of my time. The other 80 percent of my time during the week is dedicated to what you might call family court. That's where I have to spend my time in order to solve problems that confront me.

As I stated in my summary, I inherited what might be called the classic juvenile structure. And that was basically a system that had four or five alternatives, one that allowed custody to be perceived as law enforcement rather than part of the solution necessary for the families and the children. The progression of children through our system was basically a warning, and the county probation and the State probation and finally commitment to state custody. You didn't have intervention or prevention programs like we have today. We were housing juveniles, children, in the female portion of the Bradley County jail. They were served by the same staff that handled that adult problems with the adult inmates. They had no special training. They did not understand why the children were there.

In total, I guess you might say that our staff had very few outside contacts with any of the personnel who were immediately and directly involved in the lives of these children. There were no form of prevention or intervention activities. Schools were seen as a referral sources and not as worksites.

There's no doubt in my mind that prevention works, as you can see from my summary. We're now spending as much court time as we can on the juvenile matters. Our staff is spending its time in the school and work sites. That's where the children are. That's where they're getting their education in addition to the homes. And that's where our staff—we have developed in order to address the problems, and I could give you all the statistics with regard to the number of cases and children and charges, and the fact that only 10 percent of our total criminal docket addresses violence. Less than 10 percent of our cases are—run away and the government will pay. Less than 3 percent of the children that come into the juvenile system there, and last year there were some 1,100 children, less than 3 percent of them are detained for any period of time. We have sought to develop community resources. Currently, we've got a couple that really work.

One of them is a program where I have 13 attorneys serving as special juvenile court referees. They provide hundreds of pro bono hours a year, going to their assigned school for a couple of hours every other week, and dealing with children who have problems with truancy or ungovernable behaviors. By intervening as early as possible and as often as possible, we have facilitated problem solving, and truancy is really going down. In 4 years of its implementation, I've only had to put 4 parents in jail. Somebody was asking me earlier, "What's the solution?" And that is, ask the little mamas and little daddies just why their baby isn't in school where he belongs? And tell them what's going to have to change in order to ensure that they don't go in custody of the State.

The other thing that we've done is a program that cost the State of Tennessee $125,000 last year, called Family Friends. I've got 24 volunteers working under a professional staff who have checked over a hundred kids out of state custody in 1 year alone. We saved the State of Tennessee and you—if you're assuming that every one of those 100 children would have gone into State custody, we saved the State of Tennessee over $3 million. And they're volunteers. We've got to have professionals.

The other thing that we've done in order to bring the families in court are used methods to address problems, citations. Instead of bringing a child through the formal program, we give them a speeding ticket, a juvenile court citation. We say do you want to come down? Do you want to pay the ticket? It's 8 hours community service, and it's going to cost $25. That will minimize the problems with parents not understanding what's going on. Because with 72 hours of receiving the citation, if the youth don't report to court with his parent, then the court will come and talk to the parents about the youth.

So there are a lot of things that work. We know what works. You asked the question, how did we get where we are? Well, we got here because of mandates. We got here because in the last 65 years we allowed the government to usurp the function of community, to usurp the function of the church, to usurp the function of the family. For the last 35 years, we never required anyone to be responsible. You know, we've had a system of Federal paternalism that basically says father knows best but of course the program's destroyed the father. We have told people that they have all these wonderful rights, but they are no incompetent responsibilities. And unless we do what we can to bring these funds back to the community and let regional resources target the issues of truancy, that is the absolute best predictor potential for failure in life. If you don't have parental supervision and parental involvement—if you've got parental rejection of a child because the child is out of control, then that child is going to be delinquent.

Senator THOMPSON. You know, it seems to me that maybe the significance of that is not necessarily what you do or how long you keep a truant, maybe the importance of that is that if a kid at that age sees that there's no real consequence to his misbehavior, that principle carries on well on down the system. He's a young person with a lot of these places so busy they don't have time to deal with them, and they're adults before they're ready for the first time. I had a young man, an offender, in Memphis yesterday who talked about that. And how long he went and how much he got by with, shoplifting and truancy and nobody made any big deal out of it. And then I think his first major event was an armed robbery. Then he was kind of surprised that anybody was really going to do anything with him. Maybe that's the principle.

Judge DEACON. Well, yeah, we talk about the need of parental intervention. The problem is the parents don't have a clue. We've got babies having babies having babies. I had a 13-year-old child—she's 14—yesterday in court. She was 14 years old. She had a 3-month-old baby, now. The grandmother of this infant didn't know who the father was. The mother suspects two or three people being the father of her child. The young lady is now 14. She's not in school. She is—I won't tell you that. I had her in court. But she doesn't have a job. She doesn't have any skills. She doesn't have a clue. And unless we address these on a regional and local basis, unless we can develop solutions, and everyone, the mayors, the judges here, are dedicated to doing that—you know, one of the problems? We've got 95 jurisdictions. We're all county judges. We're not state judges. We represent counties with such disparant resources that the counties next door to me can't do a thing. They don't have the resources. They don't have tax cuts. They don't have any power. They're not empowered by their community or by State or local government to do what they need to do. And these funds have got to come down to that level, and let the community be responsible for the development of the programs supporting it and making it work. And if it doesn't work, cut them off at the knees. But that's where the money's got to go. I've had wonderful support from a OJJDP, the National Juvenile Justice, the Tennessee conference, the Juvenile Court Justice, but there's just so much, unless you've got dedicated people willing to intervene in the lives of our children, and as soon early on, and as often as needed, then we're not going to solve today's problem.

[The prepared statement of Judge Deacon follows:]

PREPARED STATEMENT OF C. VAN DEACON, JR.

I have been a General Sessions and Juvenile Court Judge since 1990. Prior to my election, I was an Assistant District Attorney General for 14 years and in the private practice of law. My judicial duties include Civil litigation, Child Support, Domestic Relations, and Juvenile Jurisdiction. Annually, my case load is in excess of ten thousand (10,000) cases. Four thousand (4,000) civil cases require less than twenty percent (20%) of my average week. The remaining eighty percent (80%) is dedicated to what might be called Family Court matters: Divorce, paternity, legitimation, child custody, child support, and Juvenile cases.

In 1990, I inherited a staff of two full-time, and one part-time juvenile probation officers. Their case load averaged fifty (50) youth each. Annually, several hundred children found their way into the "system". Probationers were required, monthly, to come to the courthouse, after school, to meet with their probation officer. The juvenile docket was limited to one half day each week. The progression of children through the "system" was: warning, county probation, state probation, commitment to state custody. Fines and court costs were nominally collected, and the basic orientation was Law Enforcement, including weapons and badges. Children were detained in that portion of the Bradley County Jail designed for female prisoners, and supervised by the adult correctional staff. There were few, if any, outside contacts with children or their parents/families. There were no prevention or intervention programs. Schools were referral sources, not work sites.

Today, the Juvenile staff includes a Director, seven full-time Youth Service Officers, a part-time Community Service Coordinator, and twelve on-call Youth Correctional Officers. In cooperation with the two local school systems, a School Based Probation program has been implemented, with Youth Service Officers spending the majority of their time assigned to each high and junior high school. Case loads are still high, too high, but manageable. We now have a Temporary Holding Resource to detain children. The juvenile docket now requires two days each week, and felony arraignments are conducted daily as needed. Nearly sixty-five percent (65%) of my court time is required to manage the Juvenile caseload. In self defense, community-based Prevention and Intervention programs have been developed to interrupt the cycles of Domestic Family Violence, substance abuse, teen pregnancy, teen violence, and school dropout/truancy. These issues are not being addressed by our community, but more intensive education of the public is necessary to assure their acceptance of the problem as their own.

There is no doubt in my mind that Prevention and Intervention are indispensable tools to accomplish the task facing all Juvenile Court Judges. The Programs we have implemented are successful. They work.

> Campus Court.—Thirteen local attorneys devote hundreds of *pro bono* hours each year serving as Juvenile Court Referees. Assigned to each school in Bradley County, they deal with truancy and ungovernable behaviors of children K–12 in an informal setting. By intervening as early as possible, problem solving is facilitated, truancy and dropout are prevented.
>
> Family Friends.—A community-based family intervention program consisting of volunteers under the supervision of a professional staff, which provides support to families at risk of having one or more children placed in state custody, while "weaning" them from dependence on community/governmental services. The goal is to enable the family to function independently as a unit.
>
> Citation Program.—To minimize formal court treatment for minor offenses, except drug use/abuse, this program allows offenders to pay a fine and perform community service rather than appear in juvenile court. It requires families of offenders to appear for an introduction to the Juvenile Court, a discussion of the alternatives, and an opportunity to avoid further formal proceedings. At the end of the school year, and completion of the requirements, offender records are destroyed, unless additional offenses occur.
>
> The Teen Learning Center.—A joint program of the court and city school system to address the educational needs of 1.) Children at risk of commitment to state custody, 2.) Children 2 or more years behind academically, 3.) Pregnant teens/teen mothers at risk of dropping out, 4.) Students eligible for GED preparation.

These are just a jew of the efforts made to intervene early, and as often as necessary to save our children. We realize that we can't save them all; that there will be a few "combat losses" but working with community leaders, educators, attorneys, and private citizens we have developed innovative, community solutions for our children and families. Realizing that no one solution is appropriate for every situation or community, we sought the help of all who shared our common concern. Months, and sometimes, years were needed to model solutions. Preliminary, national and state resources were consulted; and they responded. The Tennessee Commission on Children and Youth, The National and Tennessee Councils of Juvenile and Family Court Judges. The National Center for Juvenile Justice, and the Office of Juvenile Justice and Delinquency Prevention all provided invaluable assistance in helping us to learn what aid was available, what worked and what didn't, as well as, providing financial assistance for information systems, staffing, and last year, an assessment of our juvenile operations.

Tennessee's Children Plan has worked well in southeast Tennessee by allowing us to target appropriate available state resources on those whom we could help the most. Without the Children's Plan, my job would be impossible.

America 2000, now Goals 2000, provided a community platform from which many initiatives were discussed, developed, locally funded and supported. By encouraging citizens with common concerns to work together in solving local problems, Cleveland/Bradley 2000 has been a catalyst in developing grassroots involvement to help our community do something about education and life-long learning.

Experience has necessitated several biases in dealing with my particular jurisdiction: If you don't love children, or have an abiding belief that children are our future and need our guidance and support, you shouldn't be involved in the Juvenile Justice or educational systems. Education is the Prime Directive. If you are not part of the solution, you're part of the problem.

Experience and empirical data lead me to the following conclusions: Truancy is the best predictor for potential failure in life.

The most powerful predictors of Delinquency are: Lack of Parental Supervision; Lack of Parent-Child involvement; Parental Rejection; Violent Families beget Violent Children; Without Habilitation there's nothing to Rehabilitate; If we are not building Families, we had better build more Prisons.

There is no doubt that some children must be confined until such time as they can be safely returned to society. They are dangerous, oftentimes feral predators without remorse or sense of their proper place in society. Unfortunately, there is little that can be done for them. However, there are thousands which can be led to productive citizenship by community-based early intervention and prevention programs, funded by public and private agencies at the local level. Until such time as these resources are returned to regional and local governments, with appropriate federal guidance and encouragement, much will be consumed by the "system"/"process" with little eventually reaching the population most in need.

It is up to communities to assume responsibility for their children. Cooperative efforts by the courts, law enforcement agencies, our schools, and citizens can produce appropriate results; but only if the resources are targeted on the at-risk population. Regional and locally developed and supported plans should be sought, and funded for specified periods; with continued funding based on demonstrable results. These funds should be available on request; apportioned much the way current state Basic Education Program funding is allocated. This weighted distribution assures equality of access to needed resources.

Senator THOMPSON. Thank you very much.

I'm not going to detain you much longer, because we have some questions as we've gone along here. One thing that occurred to me, Judge Swiney mentioned that—something discussed which is of interest to me—remove the child from a terrible environment. We all know the importance of family and how bad a bad family situation is on the influence of a child. And Judge Camp talked about some things you can do perhaps to improve that situation. But if we see that that young child is in that real bad family environment that's not going to change, you ask yourself what are you going to do?

You look on the other hand to see the tremendous number of people we already have in foster care. Now, what is the answer to that? Would we be better off to be able to move those young children from that home environment? And if so, what do we do with them?

Judge Wohlford.

Judge WOHLFORD. And that's a very good point, Senator. Permanency doesn't necessarily mean trying to go back into the biological home when that home is not going to ever be fit. And there's just some people who are not going to be fit as parents and they're not going to try. Permanency means terminating the parents' rights to allow the children to be adopted. Permanency means placing them with a relative on a permanent basis. Permanency means doing everything possible through the agency, and making the agency file the petition for termination. That's one of the frustrations that I'm sure the judges will sit here and say. You know you're not going home, and yet we don't have the staff. We don't have the manpower, we don't have the legal ability, to get any petitions filed until a year from next Thursday. In the meantime, you're grinding out this drifting of kids. If the parents are not fit, you've got to have the manpower in the agency to file a termination petition, let the judge hear that, and then if they're terminated, those kids can be adopted, or placed with a permanent home. That's one of the things we've been sadly lacking in, and we need that.

Senator THOMPSON. But I hear the adoption process is so slow.

Mr. WOHLFORD. Right. And that can be improved also.

Judge DEACON. We have some new law we think, because it hasn't been clarified in the State of Tennessee, regarding the status of adoption.

Senator THOMPSON. Don't we have a backlog?

Judge DEACON. We don't have legal counsel to run—in our courts. I know Judge Camp's got the same problem, but I'm lucky if I have the Department of Human Services attorney there now one day a month. Without a series of phone calls to get the register open to hire someone, I'd be waiting two years from now. We ask the courts to do basically an impossible job. I've got over 149 a year right now that need to be placed in permanent homes. Some of them has had 20, 25 case workers in 9 years. We have got to expend the resources as early as possible to halt these problems.

Senator THOMPSON. Maybe that would be an area for all of us to focus on, talking about intervention and all. But no matter what you do for that child, if he is in that kind of environment, it's not going to make much difference. Judge Camp mentioned something about sending young men off who did well and came back and fell back in the same hole. Some people say that's what happens to Head Start, as good as start as it must be. It works well with the child but if you don't continue on with something, he goes back to the same environment. So I think that perhaps we've allowed people to stand on their so-called rights of the biological parents to the detriment of the children. Judge Camp, do you have anything to add?

Judge CAMP. Senator, I think all of us in a judiciary, general session, also. And I'm not misleading. I've spent 80 percent of my time doing juvenile cases and 20 percent of it criminal and traffic and civil. But the basic problem I have is most of my kids come in court not because of what they want to do or what they intend to do in being bad. A lot of them don't have any other direction. They like discipline. They like to learn to respect people. They're taught it. Most of the kids that I see have never understood it. And they've heard so much about individual rights all their lives and the parents run it in the ground to them about, you know, we can go out here and we can do what we want to when we want to. You can do the same.

Senator THOMPSON. Not letting teachers discipline children at school. It is more and more that way. People are more and more that way. And a short time ago, it was just the opposite.

Judge CAMP. I blame it on the courts. I'm a member of the bar, but I blame it on the court system about how they developed the individual right concept to where people can take it and confuse it.

And the majority have no rights any more. The individuals have them all. And kids don't understand any different. They think that they can do what they want to when they want to do it. If they want to beat up the teacher, it's their right to do that, and they can get away with it. And most of the times, they know they can, because I don't have anywhere to put them. I can't get anybody in detention. I've heard about these truants being in detention. I can't get a kid in detention for anything less than drug dealing or weapons. I tried to send one off the other day for assault. They wouldn't take him. And that's wrong.

Senator THOMPSON. Why wouldn't they take him?

Judge CAMP. No room. Memphis was filled up. Jackson was filled up. Didn't have anywhere to put him.

Judge DEACON. In the State of Tennessee, Judge Wohlford is the only one that's got an observation and assessment center. We can't even access those places. I don't have a place to put a child on a temporary basis who is a status offender, unruly in the classroom, truant, doing drugs or whatever and not criminally charged. I don't have a place I can put that child. I need a time out center if nothing else. And that's why the county there in southeast Tennessee, we're trying to come up with a regional training center. I can't wait to talk to Mr. Phyfer about that.

Senator THOMPSON. If you don't have a place to put them, you just can't deal with them, can you?

Judge CAMP. No, sir.

Senator THOMPSON. I mean, they go back home and——

Judge DEACON. You put them in and they run back.

Judge CAMP. They go home and brag to everybody about how they beat the system and let you get away with whatever they want to get away with. That's what they do.

Mr. WOHLFORD. We have a regional detention center in my area. And that concept has worked well. We have seven counties involved. It's like Judge Deacon is talking about. And sometimes with that, we have an observation and assessment center that's available, not just my court, but all seven counties. We have children assessed before we make a disposition. That's the kind of resources that are good, that work. Nobody wants resources that are there if it don't work.

Judge DEACON. Senator, may I supplement my testimony? I've brought some additional documentation about the programs that we have.

Senator THOMPSON. Yes, sir.

Judge DEACON. There are several copies here.

Senator THOMPSON. Well, then we'll make that part of the record.

[The information referred to is located after Judge Deacon's testimony.]

Senator THOMPSON. Gentlemen, thank you so much for being here today. You've been very patient and very, very helpful.

This will conclude our day. As we said in the very beginning, we'll look in the Juvenile Justice Act and how it works and doesn't work, and that's our responsibility.

Clearly, it's part of a much bigger, bigger picture that we all as citizens and government have to deal with. And we're struggling with it right now. We don't know what to do. In many cases, we don't know what works or doesn't work. But you've touched on that these young people have got to be dealt with in some kind of an organized fashion. And perhaps these are some areas that we can target.

The Federal Government has a history of targeting certain kinds of bricks-and-mortar type things. Maybe that's a little bit harder for them to mess up. If they can be responsible for some areas, it would help for just a place to put some of these young people in at the appropriate time.

So thank you very much. I appreciate your cooperation and everyone who has been here today.

And with that, the hearing will be adjourned.

[Whereupon, at 1:53 p.m., the subcommittee was adjourned.]

APPENDIX

ADDITIONAL SUBMISSIONS FOR THE RECORD

PREPARED STATEMENT OF REPRESENTATIVE FRANK BUCK

Mr. Chairman and Honorable Subcommittee Members, I am pleased to be able to testify before this distinguished Subcommittee on Youth Violence.

The Tennessee General Assembly, during the last three years, has turned increasing attention to the problem of juvenile violence.

The General Assembly's Select Committee on Children and Youth held a series of hearings on youth violence during the 1994 Legislative Session. National experts testified at Committee hearings about the problem of youth violence across the United States. The hearings included testimony from juvenile court judges, district attorneys, and national experts on juvenile crime.

The Committee found that juvenile offenders are committing more violent crimes, and doing so at a younger ate.

The Tennessee General Assembly adopted a package of juvenile crime legislation that make it easier to try in criminal courts as adults those youths who commit the most heinous crimes. Other bills make possession of a handgun by children illegal, and make it easier for school principals to conduct searches. The General Assembly enacted the following changes in law to strengthen laws addressing youth crime:

> Allowed juvenile courts to transfer juvenile offenders, fourteen years of age or younger, to criminal court to be tried and sentenced as adults if they commit serious and violent crimes. Formerly, only a child over the age of 14 could be transferred to criminal court for these offenses.
>
> Required that juveniles, who are transferred to criminal court, be treated as adults, lose their rights as juveniles, and be tried as adults for all subsequent charges.
>
> Steamlined and simplified court procedures for juveniles who commit crimes and are transferred from juvenile court to criminal court to be tried as adults. This law removes the requirement of an acceptance hearing in criminal court once a juvenile court judge decides that a juvenile should be tried as an adult.
>
> Made simple possession of handguns by juveniles a delinquent act, and provided new criminal punishment for adults who allow children to go armed with handguns.
>
> Authorized the photographing of juveniles under investigation for delinquent acts.
>
> Allowed juvenile court judges to require parents or guardians to participate in appropriate counseling or treatment programs without delay.
>
> Allowed principals more latitude to search students, school lockers, book bags, and those individuals visiting schools.
>
> Allowed local boards of education to adopt rules prohibiting secondary school students from wearing clothing or accessories which denote any gang associated with criminal activities.

During the 1995 Legislative Session, the Tennessee General Assembly took additional steps in a continuing effort to combat youth violence including:

> Allowing juvenile courts to compel the attendance of a juvenile offender's parent or guardian and to join the parent or guardian in an action pending before the court.
>
> Making membership in a "street gang" an enhancing factor in determining sentences.

Making clear that juvenile courts have the authority to incarcerate juvenile offenders, charged with unlawful possession of handguns or weapons, even if the juvenile has no previous record.

Increasing the penalties for truancy.

Made it easier for our largest metropolitan area to enact tough curfews for juveniles.

Allowed juveniles who were charged with attempting to commit first and second degree murder, rape, aggravated rape, aggravated robbery, especially aggravated robbery, kidnapping, aggravated kidnapping or especially aggravated kidnapping to be transferred to criminal court.

Allowed courts to consider a juvenile's delinquent acts, which would have been felonies if committed by adults, as enhancement factors in criminal sentencing.

Required that students who bring firearms onto any school grounds in the state by expelled for one year.

The General Assembly is currently considering legislation which:

Protects parents, grandparents, guardians and custodians who use corporal punishment in correcting their children.

Allows school principals access to the records of students who are in state custody and enrolled in that principal's school.

Requires juveniles charged with first degree murder to be tried as adults.

Requires juvenile offenders to pay restitution for property destruction.

Requires schools to be notified of offenses committed by students.

States need to be encouraged to deal with crime before juvenile delinquents become adult criminals. Neither states nor the federal government can afford to ignore the problem of juvenile violence. Estimates of the cost of incarcerating an adult inmate for 40 years range from $602,000 to $766,000.

Tennessee juvenile courts have multiple options when confronted with delinquent youth. Youths, not amenable to rehabilitation and treatment who have committed serious crimes, may be transferred to criminal court and tried as adults.

Juvenile courts may decide that youths committing serious crimes should be given a determinate sentence to the Department of Youth Development for a specific period of time or until their 19th birthday. Juvenile courts may also commit youths to the Department of Youth Development for an indefinite period of time determined by the Department.

The creation of the Department of Youth Development (DYD) by the Legislature in 1989 separated juvenile corrections programs from adult corrections. The Department of Youth Development (DYD) provides a range of services to delinquent youth. Youths receive nonresidential services through DYD probation or aftercare. Residential placements for youths include DYD transition group homes or placement in a community agency. Community agencies encompass a range of programs from wilderness camps to residential treatment centers offering varying levels of supervision and services. An alternative to youth institutions, wilderness programs provide an intensive training in rugged and remote environments for long periods of time, often exceeding a year. There are presently about 400 children housed in such programs in Tennessee.

Youths most needing a secure setting are committed to one of three regional youth development centers (Woodland Hills, Mountain View, Wilder). Taft Youth Center serves the most serious offenders from across Tennessee.

Detaining youth in state training schools is also costly. The cost to Tennessee tax payers of detaining youth in state training schools is $148.64/day. Data from 18 states show these costs to range from $87.12 in Indiana to $235.81 in New Hampshire.

At a cost per day of $100–$140 per day, the cost to hold youth in traditional large juvenile correctional facilities for 6 months is $18,000 to $25,000—more than the cost of tuition, room and board for one year at a private 4-year college. Tuition and fees for one year at a private 4-year college cost an average $12,432. And room and board and the costs climb to $17,631.

According to the National Council on Crime and Delinquency most states report spending twice the cost of one year in a private college, between $35,000 to $60,000 annually, to confine one youth in a training school (NCCD, May 1993). The cost of tuition, fees, room and board at a four-year public college average $6,823. (The Tennessean, 10/10/95)

Paul DeMuro, an independent juvenile justice consultant, recently examined the appropriateness of placements of delinquent youth, the length of stay in state training schools. Of 534 youth in DYD institutions on 9/8/94, DeMuro found that 33% of the DYD institutional population fell into the high risk category, 39% into the medium risk category; and 28% into the very low or low risk category.

Of 534 youth placed in youth centers, DeMuro found that 134 had offenses involving the most serious crimes, e.g., homicide, rape, aggravated robbery. Aggravated robbery accounted for 81 of these most serious offenses. Another 148 youth had instant offenses involving serious crimes, e.g., weapons offenses, aggravated assault, sale of controlled substance. The study confirmed that 383 of 542 youth in youth centers had high to very high risk scores and in all probability need a period of secure confinement to protect public safety.

The average institutional time served for determinate sentenced youths released in FY 93–94 was 365 days. Most of these youth were discharged to other forms of supervision/services.

The report documents that many indeterminate sentenced youths leave training schools for residential placement in group homes or contract programs, thus extending their total length of stay. The total length of stay in all types of residential care for DYD indeterminate cases was 393 days (13.1 months).

DeMuro found that most of the 1,053 youths in the study (71%) were reported as living with parents or relatives prior to residential placement. DeMuro suggests creating non-residential day treatment/alternative schools, non-residential enriched community supervision and monitoring, and intensive community-based, non-residential centers which operate seven days a week from 4:00 p.m. to midnight.

The most important investment Tennessee can make in public safety is the development of a variety of strong community based reentry supports. Policy makers should consider specialized community reentry programs that begin working with a youth and his family when he is first committed to an institution and are able to support the youth's reentry at the time of discharge from residential care. DeMuro recommends that more serious offenders have a period of community supervision and supports which emphasize jobs and job training before they age out of the system.

The Tennessee General Assembly addresses the roots of youth crime by proposing the enactment of the Early Childhood Development Act of 1994 and the establishment of pilot juvenile-family crisis programs. Juvenile-family crisis provide services to families in crisis and have the potential to decrease the number of unruly children entering state custody. Pilot juvenile-family crisis programs will make 24-hour crisis services available to families with a child experiencing serious school problems such as truancy or whose behavior is judged by the court to be unruly.

STATE OF TENNESSEE

Memorandum

DON SUNDQUIST
GOVERNOR

DATE: January 11, 1996

TO: County Governments, Local Education Agencies, Public Health Agencies, Community Health Agencies, and Substance Abuse Prevention Providers

FROM: Nancy Men N Menke

RE: Governor's Community Prevention Initiative for Children

On behalf of Governor Don Sundquist, I am pleased to announce a major prevention initiative aimed at reducing several of the high-risk behaviors of youth. The problems of teen substance use/abuse, teen pregnancy, teen violence, and school drop-out have historically been approached with categorically funded programs designed with minimal community input. This prevention initiative is designed to:

- Give communities input in assessing needs of the target population and available resources and in proposing solutions to the identified needs;
- Assure that community intervention facilitate the development of protective factors for at-risk youth before high risk behaviors develop by targeting children under age 13;
- Maximize the coordination of state and federal funding which is allocated to address any of these issues affecting youth;
- Provide for comprehensive and coordinated services within the community.

The enclosure describes our prevention initiative. County governments who are eligible for Title V funding, Juvenile Justice and Delinquency Prevention Act, may request an application for Federal Formula Grant program funding by contacting:

William Haynes, Director
Juvenile Justice and Delinquency Prevention
Tennessee Commission on Children and Youth
Gateway Plaza, First Floor
710 James Robertson Parkway
Nashville, Tennessee 37243-0800
(615) 741-2633

Local communities are eligible to receive funding from the Department of Health based on proposals developed by community work groups convened by regional health offices. These proposals will identify needs in counties with the largest numbers of high-risk youth and propose appropriate preventive interventions to meet those needs. Community health agencies will serve as the fiscal agents and will subcontract with area providers for services. Information about this funding may be obtained by contacting:

Ann P. Duncan, Deputy Commissioner
Tennessee Department of Health
9th Floor, Tennessee Tower
312 Eighth Avenue, North
Nashville, Tennessee 37247-0101

(615) 741-3111

Local education agencies currently receive Safe and Drug-Free Schools and Communities funding from the Department of Education. These projects will be coordinated with any new programs established under this new initiative. For information about these funds contact:

Mike Herrmann, Director
Safe and Drug-Free School and Communities Program
Tennessee Department of Education
Gateway Plaza, 6th Floor
710 James Robertson Parkway
Nashville, Tennessee 37243-0375
(6.5) 741-3248

Although these funds are administered by separate agencies and departments, each one uses the same strategies described in the attachment. Coordination of the services to be funded by these separate funding streams will be provided by the Department of Health's community planning process.

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GOVERNOR'S COMMUNITY PREVENTION INITIATIVE FOR CHILDREN

PROBLEM STATEMENT

Tennessee ranks 48th out of 50 states for child well-being based on a composite score of 10 critical indicators. Four of the ten indicators assess problems of teen pregnancy, juvenile arrest rates, violent deaths, and school drop-out. A major hidden problem, often related in combination with or as a root cause of these other juvenile problems, is substance abuse. While Tennessee is making some incremental progress in addressing these issues, the problems are increasing exponentially. We cannot hope to catch up with the needs of our youth unless we begin to make some fundamental changes in our approach to the prevention of these problems.

GOAL

To reduce teen substance use/abuse, teen pregnancy, teen violence, and school dropout through community-based, comprehensive prevention programs that use risk factors to identify the target population and that promote protective factors in children under 13 years of age.

STRATEGIES/PRINCIPLES

Research is now consistently indicating that:

- the risk factors are essentially the same for each of the four problem behaviors of youth addressed in this initiative,
- some children who have been exposed to these risks do not exhibit these problem behaviors due to certain protective factors,
- communities can provide programs which facilitate the development of protective factors for all at-risk youth, and
- the age of 12 is our last best chance to intervene with prevention strategies.

[illegible]

Three sources of funding are involved in the prevention initiative: Title V funds of the Juvenile Justice and Delinquency Prevention Act through the Tennessee Commission on Children and Youth; Safe and Drug-Free School and Community funding through the Department of Education; and pooled categorical funding through the Department of Health.

The Title V funding is allocated to qualifying counties by a competitive Request For Grant Proposals issued by the Office of Juvenile Justice and Delinquency Prevention. This information can be found in Attachment A.

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STATE OF TENNESSEE
TENNESSEE COMMISSION ON CHILDREN AND YOUTH
Gateway Plaza Building, First Floor
710 James Robertson Parkway
Nashville, Tennessee 37243-0800
(615) 741-2633 (FAX) 741-5956
1-800-264-0904

MEMORANDUM:

TO: Potential Title V Delinquency Prevention Grant Applicants

FROM: Philip Acord, Chair PAA

RE: Availability of Delinquency Prevention Grant funds under the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Title V Program for FY 1996

DATE: January 12, 1996

The Tennessee Commission on Children and Youth (TCCY) announces that application packets for FY 1996 Title V Delinquency Prevention grant funds will be available for distribution soon. Competing applications will be accepted from eligible applicants for new projects which focus on community based delinquency prevention strategies. Priority will be given to applications which address the reduction of disproportionate minority confinement in the juvenile justice system.

The Title V program was authorized in the 1992 amendments to the Juvenile Justice and Delinquency Prevention Act of 1974 in Title V, Sections 501-506, "Incentive Grants for Local Delinquency Prevention Programs Act." Based on the premise that preventing delinquent behavior is a much more cost-effective means of reducing juvenile crime than attempting to rehabilitate adjudicated delinquents, Title V of the JJDP Act is designed to provide a dedicated fund source for States to award grants for delinquency prevention and early intervention programs for local communities, provided that the applicant unit of general local government is in compliance with the JJDP Act mandates. Certification of compliance is based on the FY 1994 monitoring report submitted to OJJDP by TCCY. Each applicant must request certification status each year when requesting an application packet. Based on the monitoring report, eleven counties fail to meet the de minimis requirements for certification of compliance with the Act.

A community will be required to have a prevention strategy based on assessment of risk factors associated with the development of delinquent behavior in the community's children. Risk factors and protective factors will be discussed at grant writing training sessions conducted by TCCY staff. This strategy should be developed by a Prevention Policy Board (PPB) comprised of 15-21 persons who will be the decision-making body for the program. Additional details will be provided in the application packet. The PPB will be required to develop a comprehensive three-year delinquency prevention plan for submission with the application.

For FY 1995 Congress appropriated $19.2 million for Title V implementation. Calculated on a population-based formula, Tennessee will receive $349,000, of which $17,450 will be designated for planning and administration use by TCCY. The Commission plans to award funds to four continuation projects and one new applicant. The new project will receive approximately $50,000. The applicant is required to provide a fifty percent (50%) cash or in-kind match for the federal funds requested.

Those interested in applying for Title V Prevention funds should return the enclosed request as soon as possible to:

Tennessee Commission on Children and Youth
Gateway Plaza, First Floor
710 James Robertson Parkway
Nashville, Tennessee 37243-0800

All applications must be received at the Tennessee Commission on Children and Youth Office no later than 4:30 p.m. CST on April 1[illegible], 1996, or postmarked on

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Appendix A

Juvenile Justice and Delinquency Prevention

Safe and Drug-Free Schools and Communities funding is allocated to school systems on a per capita basis with a supplemental allocation being provided to the 10% of school systems identified as having the greatest need for additional funds. The school systems currently receiving this additional funding are listed in Appendix B

Beginning July 1, 1996, the twelve community health agency regions will be eligible to receive up to $100,000 as a base amount of funding from the Department of Health to implement a comprehensive prevention program in their communities that have the greatest numbers of high-risk children. Additional funding will be allocated based on the number of children under 18 years of age in the geographic area who are living in poverty; on demonstrated need, on the ability of the community to mobilize, coordinate services, and secure additional resources; and on the potential for success. Partnerships with private business and foundations are encouraged. This is not a competitive process, but rather a partnership with each geographic area and the State. Because the strategy requires community-based needs assessment, planning, and commitment, only one proposal will be accepted from each region and metropolitan area. For multi-county regions, eligible counties will be identified based on numbers of youth at risk for substance use/abuse, teen pregnancy, juvenile arrest, and school dropout. The regional public health offices will be responsible for convening a task force to identify needs and resources in the targeted counties, and for developing the proposal for funding. Community health agencies will serve as the fiscal agents and will subcontract with area providers for services. A review team will evaluate the proposals and technical assistance will be provided to assure that each proposal is consistent with the strategies/principles for the initiative and can be expected to successfully achieve the identified goals. Minorities must be represented in the target population at least to the extent that they are represented in the geographic area to be served.

Target Dates

By April 19, 1996, proposals will be received for review/approval by the review team.

By July 1, 1996, Comprehensive Community Prevention Initiative grants will begin.

EVALUATION

Grantees will provide data necessary for federal reporting requirements for the Bureau of Alcohol and Drug Abuse, Health Promotion/Injury Control, and the Office of Juvenile Justice and Delinquency Prevention. Additionally, grantees will provide the necessary data for outcome evaluation conducted by the University of Memphis.

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April 15, 1996, and received in TCCY offices by 4:30 p.m.CST on April 19, 1996. Hand delivered applications will not be accepted after 4:30 p.m. CST April 15, 1996.

This is the only notice you will receive regarding the above mentioned Title V Prevention grant funds unless the attached form or another written request for the application packet is returned to the Tennessee Commission on Children and Youth.

Title V funds should not be confused with the federal formula grant funds administered by TCCY under the JJDP Act. Availability of those funds will be announced within the next two or three weeks. As in past years, TCCY staff will provide grant writing training sessions for both Title V and formula grants. Because we expect relatively few Title V applications, that training will be included as a separate break-out session of the formula grant training workshop. No training dates have been scheduled yet. The dates will be included in the notification of the availability of formula grant funds.

The information that follows this memo will provide some of the basic details about Title V. If you have questions about Title V or need technical assistance, you may call William Haynes, Janice Browne, Gloria McKnight, or Connie Thomas in central office at (615) 741-2633. You may also contact your TCCY Regional Coordinator or Suzanne Spicer for information or assistance.

PA:ct
Enclosure

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TENNESSEE COMMISSION ON CHILDREN AND YOUTH

TITLE V PREVENTION GRANT
REQUEST FOR APPLICATION

DATE ______________________

PLEASE SEND ME A TITLE V PREVENTION GRANT APPLICATION KIT AND CERTIFICATION OF COMPLIANCE WITH THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT.

NAME ______________________
TITLE ______________________
ORGANIZATION ______________________
ADDRESS ______________________
____
PHONE ______________________ FAX ______________________

I UNDERSTAND THAT IT IS RECOMMENDED TO ATTEND THE GRANT WRITING ORIENTATION AND TRAINING PROVIDED BY THE TENNESSEE COMMISSION ON CHILDREN AND YOUTH.

I PLAN TO ATTEND SESSION NUMBER ___

RETURN THIS FORM TO:

TENNESSEE COMMISSION ON CHILDREN AND YOUTH
GATEWAY PLAZA FIRST FLOOR
710 JAMES ROBERTSON PARKWAY
NASHVILLE TN 37243-0800

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TITLE V INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974

Mandates:

1. **Deinstitutionalization of status offenders (DSO)**
2. **Separation of juvenile and adult offenders**
3. **Removal of juveniles from adult jails and lockups**
4. Reduction of disproportionate minority confinement

1992 – reauthorized and amended
1996 – reauthorization due

Title V, Sections 501 – 506 "Incentive Grants for Local Delinquency Prevention Programs Act"

1995 appropriation – $19,257,000

$349,000 appropriated to the Tennessee Commission on Children and Youth (TCCY) for implementation of Title V

- **$331,550 for local prevention programs**
- **$17,450 for planning and administration**

TITLE V INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

The goal of the program is to reduce delinquency and youth violence by supporting communities in providing their children, families, neighborhoods, and institutions with the knowledge, skills, and opportunities necessary to foster a healthy and nurturing environment that supports the growth and development of productive and responsible citizens.

The objectives of the program are:

1. To form coalitions within communities to mobilize the community and direct delinquency prevention efforts;
2. To identify those known delinquency risk factors which are present in communities;
3. To identify protective factors which will counteract identified risk factors, and develop local comprehensive, delinquency prevention plans to strengthen these protective factors;
4. To develop local comprehensive, delinquency prevention strategies which use and coordinate Federal, State, local and private resources for establishing a client-centered continuum of services for at-risk children and their families;
5. To implement the delinquency prevention strategies, monitor their progress, and modify the plans as needed.

TITLE V BASIC PROGRAM DESIGN

Implementation in two phases:

- pre-award planning phase – occurs prior to the award of funds and consists of the designation or formation of a local policy board to direct the project, and the development of a three-year plan.
- implementation phase – begins with the award of the local grant.

Matching funds – All Title V funds must be matched by the applicant with 50 percent of the amount of the grant.

- cash match – includes actual dollar amounts and value of the time of employees of the grantee who are not being compensated by grant funds, but are providing service to the project funded by the grant.
- in-kind contributions – determined by the value of goods and services received and used in the program that do not have a money cost to the grantee.
  - may be provided by the grantee or donated by a third party, such as a volunteer or a public or private agency.
  - may include such items as value of the time donated by professionals not employed by the grantee and the value of office space or equipment donated.

TYPES OF PROGRAMS AND SERVICES FUNDABLE UNDER TITLE V

Section 505(a) under Title V states that grants may be used for delinquency prevention programs and activities for youth who have had or are likely to have contact with the juvenile justice system, including the provision to children, youth, and families of:

1. Recreation services;
2. Tutoring and remedial education;
3. Assistance in the development of work skills;
4. Child and adolescent health and mental health services;
5. Alcohol and substance abuse prevention services;
6. Leadership development activities; and
7. The teaching that people are and should be held accountable for their actions.

TITLE V TECHNICAL ASSISTANCE

OJJDP will make training and technical assistance on risk-focused prevention available to representatives of units of general local government through TCCY, including:

- a one day introduction to the theories and strategies of risk-focused prevention planning for key community leaders
- a subsequent three day workshop for planning teams from local Prevention Policy Boards to complete a risk and resource assessment.

OJJDP is developing, through contract services, a capacity to provide technical assistance to every community which is developing or implementing a delinquency prevention plan.

OJJDP hopes to provide training for State training teams in fiscal year 1995.

OJJDP is examining the use of teleconferencing as a vehicle for the more efficient delivery of technical assistance.

Resource material on prevention, including sample plans are available through the Juvenile Justice Clearinghouse, 1600 Research Boulevard, Rockville, MD 20850, Telephone (800) 638-8736

TCCY will provide regional Title V Grantwriting training sessions. Technical assistance will be available during the pre-award and implementation phases of the program.

RISK - FOCUSED DELINQUENCY PREVENTION

Positive approach:

- **Previous efforts focused on trying to prevent juvenile misbehavior**
- **Emphasizes opportunities for healthy social, physical and mental development**
- **Promotes protective factors – qualities or conditions that moderate a juvenile's exposure to risk**

Comprehensive approach:

- Previous approaches focused only on one or two aspects of a child's life (e.g., individual behaviors, family problems)
- **Based on the premise that in order to prevent a problem from occurring, the factors that contribute to the development of that problem must be identified and addressed**
- **Seeks to address risk factors at the earliest appropriate stage in each child's development**

Categories of Risk Factors for Juvenile Delinquency:

1. Individual Characteristics
    - alienation
    - rebelliousness
    - lack of bonding to society
2. Family Influences
    - parental conflict
    - child abuse
    - poor family management practices
    - family history of problem behavior (substance abuse, criminality, teen pregnancy, and school dropouts)
3. School Experiences
    - early academic failure
    - lack of commitment to school
4. Peer Group Influences
    - friends who engage in problem behavior (minor criminality, drugs, gangs, and violence)
5. Neighborhood and Community Factors
    - economic deprivation
    - high rates of substance abuse and crime
    - neighborhood disorganization

Protective Factors
Which Moderate the Risk of Juvenile Delinquency

1. Individual Characteristics
    - resilient temperament
    - positive social orientation
2. Bonding With Pro-social Family Members, Teachers, Adults, and Friends
    - To increase bonding children must be provided with:
        a. opportunities to contribute to their family, school, peer group, and community
        b. skills to take advantage of opportunities
        c. recognition for efforts to contribute
3. Healthy Beliefs and Clear Standards for Behavior
    - Parents, teachers, and communities need to set clear standards regarding pro-social behavior

TITLE V ELIGIBILITY CRITERIA

Units of general local government

federal definition – any city, county, town, borough, parish, village, or other general purpose political subdivision of a State, and any Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior

Tennessee will notify county executives and juvenile court judges that funds are available.
(Only one application per county will be accepted.)

Compliance with the mandates of the JJDP Act

Each applicant must be certified by TCCY, the State Advisory Group (SAG) to be in de minimis compliance with DSO, jail removal, and separation.

For the applicant to be considered in compliance, The SAG must also certify that the applicant is cooperating in data gathering and analysis to determine if disproportionate minority confinement exists, or if it is known to exist within the jurisdiction of the applicant, the applicant has made or is making an adequate effort toward addressing, or assisting the State to address this issue.

Prevention Policy Board (PPB)

Each applicant must designate or convene a local Prevention Policy Board prior to submission of the application. The PPB must consist of 15 - 21 members from the community, representing public agencies, private nonprofit organizations serving children, youth, and families, and business and industry

Must include at a minimum:

- One member under 21
- One parent or guardian with children who have had contact or are at risk of having contact with the juvenile justice system
- One representative each from:
  - juvenile court
  - education
  - the clergy
  - chamber of commerce
- others from health and mental health, child welfare and child protective services, youth development, employment, parent, family and youth associations, law enforcement, recreation, public defenders, prosecutors, and private manufacturing and service sectors

The overall membership must reflect the racial, ethnic, and cultural composition of the community's youth population

Applicants may modify or enhance existing prevention planning boards, plans and strategies to meet the requirements of Title V.

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Local 3-year Prevention Program Plan

The plan must describe the extent of risk factors identified in the community and how these risk factors will be addressed and be included with application.

The plan must, at a minimum, contain the following elements:

a) The designation or formation of a local Prevention Policy Board;

b) Evidence of commitment of key community leaders to supporting a comprehensive, delinquency prevention effort;

c) Definition of the boundaries of the program's neighborhood or community;

d) An assessment of the readiness of the community or neighborhood to adopt a comprehensive delinquency prevention strategy;

e) An assessment of the prevalence of specific, identified delinquency risk factors in the community, including the establishment of baseline data for the risk factors. The assessment of risk factors must result in a list of priority risk factors to be addressed, as determined and approved by the PPB;

f) Identification of available resources and promising approaches, and a description of how they address identified risk factors, and an assessment of gaps in needed resources and a description of how to address them;

g) A strategy, including goals, objectives, and a timetable, for mobilizing the community to assume responsibility for delinquency prevention, including ways of involving the private nonprofit and business sectors in delinquency prevention activities;

h) A strategy, including goals, objectives, and a timetable, for obtaining and coordinating identified resources which will implement the promising approaches that address the priority risk factors, including a plan for the coordination of services for at-risk youth and their families;

i) A description of how awarded funds and matching resources will be used to accomplish stated goals and objectives by purchasing of services and goods and leveraging other resources, including a budget which lists planned expenditures;

j) A description of how the PPB will provide general oversight for developing the plan, approve the plan prior to submission to TCCY, and make recommendations to the responsible local agency for the distribution of funds and evaluation of funded activities; and

k) A plan for collecting data for the measurement of performance and outcome of project activities.

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Priority consideration will be given to eligible applicants that propose prevention strategies addressing the reduction of disproportionate minority confinement in the juvenile justice system and which:

a) Provide a thorough assessment of risk factors and resources, including the quantified measurement of the risk factors which will serve as the baseline for determining project performance and outcomes;

b) Identify key community leaders and members of the PPB, describe their roles in the comprehensive delinquency prevention strategy, and provide evidence of key community leaders support;

c) Clearly define the boundaries of the program's neighborhood or community;

d) Provide a realistic assessment, including evidence, of the readiness of the community or neighborhood to adopt a comprehensive delinquency prevention strategy;

e) Provide a coherent plan, including realistic goals and objectives, to mobilize the community and implement a strategy that will address priority risk factors, including innovative ways of involving the private nonprofit and business sectors in delinquency prevention activities;

f) Provide specific strategies for service and agency coordination, including collocation of services at sites readily accessible to children and families in need;

g) Provide a strategy for, or evidence of collaborating with other units of local government and State agencies to develop or enhance a statewide subsidy program to local governments that is dedicated to early intervention and delinquency prevention;

h) Provide a budget outlining the planned expenditures of grant funds and matching resources, including a budget narrative justifying these expenditures;

i) Provide a sound plan for collecting data for measuring performance and outcomes; and

j) Provide written statements of commitment from State or local public agencies to match in cash or kind, at least 50% of the funds awarded.

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Counties With JJDP Act Violations As Of Tne 1993 Monitoring Report

County	Juvenile Population	DSO Violations	Rate Per 100,000 Juv. Pop.	Separation Violations	Jail Removal Violations	Rate Per 100,000 Juv. Pop
Anderson	16,334	1	6.12			
Blount	19,662	2	10.17			
Campbell	9,003	1	11.11			
Cannon	2,637	1	37.92			
Carter	11,389	2	17.56			
Cocke	6,984	3	42.96			
Cumberland	8,121	2	24.63			
Davidson	116,541	8	6.86	2	2	1.72
Dekalb	3,462	1	28.89			
Dickson	9,576	3	31.33			
Hamblen	12,082	5	41.38			
Hamilton	69,019	4	5.80			
Hancock	1,701	1	58.79			
Knox	75,112	60	79.88			
Loudon	7,332	1	13.64			
Monroe	7,731	2	25.87			
Montgomery	26,633	1	3.75			
Overton	4,242	1	23.57			
Putnam	11,245	2	17.79			
Roane	11,107	2	18.01			
Rutherford	31,773	4	12.59			
Scott	5,381	14	260.17			
Shelby	225,307	71	31.51	7	4	1.78
Sumner	28,448	29	101.94	8		
Trousdale	1,421	2	140.75			
Williamson	23,558	19	80.65			
State Total	1,216,804	239	19.64	17	6	0.49
Maximum Rate Allowed For De Minimis Compliance			29.40			9.00

Counties shaded in gray are ineligible to receive 1995 Title V funds because they are not in compliance with the indicated mandate as of the last approved monitoring report submitted to the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP).

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Appendix B

Safe and Drug-Free Schools and Communities Supplemental Funding

Safe and Drug-Free Schools and Communities Program
School Systems Selected for Receipt of Additional "Greatest Need" Funding
November 8, 1995

Chattanooga City

Decatur County

Fayette County

Franklin County

Greene County

Hamilton County

Jackson/Madison County

Knox County

Lauderdale County

Maryville City

Memphis City

Metropolitan Nashville/Davidson County

Shelby County

Wayne County

First Alternate: Kingsport City

Second Alternate: Oak Ridge

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